

**LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES**

**BOARD MEETING**

**SEPTEMBER 9, 1996**

**GLYNN CARVER  
CHAIRMAN**

**BATON ROUGE, LOUISIANA**

The following constitute minutes of the Commission Meeting  
and are not a verbatim transcript of the proceedings.

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Louisiana Department of Wildlife and Fisheries  
2000 Quail Drive

Baton Rouge, Louisiana 70808  
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AGENDA  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LOUISIANA  
SEPTEMBER 9, 1996

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MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Monday, September 9, 1996

Chairman Glynn Carver presiding.

Jerald Hanchey  
Perry Gisclair  
Joseph Cormier  
Jeff Schneider

Secretary James H. Jenkins, Jr. was also present.

Commissioners Daniel Babin and Edmund McIlhenny were absent.

Chairman Carver called for a motion for approval of the **August 8, 1996 Commission Minutes**. A motion for approval was made by Commissioner Schneider and seconded by Commissioner Gisclair. The motion passed with no opposition.

**Rule Ratification on the Physically Challenged Hunter Program** was presented by Mr. Tommy Prickett. The proposed rule has been in a review process since adoption of the Notice of Intent, stated Mr. Prickett. A lot of correspondence was received on the proposed rule. When the Commissioners voted to allow other classes of disabled hunters to kill buck deer only with a crossbow, this resolved most of the public concerns the staff received. Two amendments were made to the Notice of Intent. The first was removing the \$10 issuing fee and the second was redefining the "Commission Approved Physician" in the proposed rule. Mr. Prickett asked the Commissioners for a vote to ratify the rule. Commissioner Schneider asked if the possible abuse was taken into account and would there be a review of all applicants? Mr. Prickett explained the process that would be undertaken for an applicant to receive a Disabled Hunter Permit. Commissioner Hanchey made a motion to ratify the rule. Commissioner Gisclair seconded the motion and it passed with no opposition.

(The full text of the Rule is made a part of the record.)

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby promulgate rules governing the issuance and methods by which Disabled Hunters Permits will be issued.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part XIX. Hunting**

##### **Chapter 1. Resident Game Hunting Seasons**

##### **§105. Physically Challenged Hunters Permit**

###### **A. Definitions**

Amputee of the Upper Extremity - an individual suffering the loss of at least one arm, hand, or five fingers from one hand.

ATV - a small motorized vehicle designed for off road use, weighing less than 600 pounds, designed for no more than two passengers, with a maximum of six wheels, and tires with a manufacturers recommended air pressure of less than 10 pounds per square inch.

Commission - the Louisiana Wildlife and Fisheries Commission.

Commission Approved Physician - any physician licensed to practice medicine by the Louisiana State Board of Medical Examiners who evaluates permit applicants to determine the Disabled Hunter Rule classification of permanent disability.

Department - the Louisiana Department of Wildlife and Fisheries.

Disabled Hunter Oversight Committee - a committee of five individuals which collectively have final authority to approve or deny, by majority vote, rejected applications for Disabled Hunter Permits. The five members of the committee shall be appointed by the Commission from the Louisiana Outdoorsmen With Disabilities Inc., Louisiana Handicapped Sportsmen, Inc., the Wildlife Division, the Enforcement Division, and the Commission.

Disabled Hunter Review Board - a board of five individuals which collectively review and approve or reject, by majority vote, applications for Disabled Hunter Permits. The Board shall be selected by the Commission with recommendations from: the Louisiana Outdoorsmen With Disabilities Inc. (two recommendations), Louisiana Handicapped Sportsmen, Inc. (two recommendations), and the Louisiana Department of Health and Hospitals (one recommendation).

Disabled Hunter Permit - a permit issued by the Department of Wildlife and Fisheries to qualified disabled individuals.

Enforcement Division - the Enforcement Division of the Louisiana Department of Wildlife and Fisheries.

Handicap ATV Permit - a permit issued by the Wildlife Division to certain disabled hunters to allow access to the specially designated handicapped ATV trails on Wildlife Management Areas.

Helper - an individual who accompanies a permitted disabled hunter to assist the disabled hunter in accessing a hunting area, carrying hunting gear, and retrieving harvested game.

Mobility Impaired - a permanent disability caused by injury, illness, or birth defect that prevents an individual from walking farther than very short distances (less than 150 yards) even with the help of mechanical aids.

Permanent Disability - a qualifying disability that a Commission Approved Physician, the Disabled Hunter Review Board, and the Wildlife Division or the Disabled Hunter Oversight Committee have determined will not improve over time or with medical treatment.

Special Deer Season - a special deer season only for individuals with valid Disabled Hunter Permits established by the Louisiana Wildlife and Fisheries Commission.

Special Handicapped Hunt - special hunt or hunts on certain W.M.A.s only for individuals with valid Disabled Hunter Permits.

Wheelchair Bound - a permanent disability that prohibits mobility by any means other than a wheelchair.

Wildlife Division - the Wildlife Division of the Louisiana Department of Wildlife and Fisheries.

W.M.A. - a tract of land managed by the Louisiana Department of Wildlife and Fisheries and proclaimed as a Wildlife Management Area by the governor of Louisiana.

## B. Wheelchair Bound

### 1. Qualifications

a. Permanent Disability. The disability must permanently confine the applicant to the use of a wheelchair. If the Applicant may eventually recover enough to not require the use of a wheelchair, he or she does not qualify for this class permit. If the future prognosis is uncertain, the applicant does not qualify at this time.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled and confined to a wheelchair by:

- (a) a Commission Approved Physician;
- (b) the Disabled Hunter Review Board; and
- (c) the Wildlife Division.

ii. Should the Commission Approved Physician determine the applicant is not permanently confined to a wheelchair for medical reasons, the application is rejected and no permit shall be issued. If approved by the physician, the application must then be approved by the Wildlife Division and The Disabled Hunter Review Board. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the confined to a wheelchair criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not be issued permits.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons

i. May participate in special statewide handicapped hunts.

ii. May take either-sex deer on private lands statewide during the entire gun deer season and during the muzzle loader season. This provision does not include W.M.A.'s, National Wildlife Refuges, Kisatchie National Forest, or other federal properties.

c. Crossbow. May use a crossbow to archery hunt during the statewide archery season.

d. Access To Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails on W.M.A.s.

e. Hunting From Vehicles. May hunt resident game from a stationary vehicle or stationary boat statewide, provided that this activity does not violate state or parish laws.

f. Helpers. Permittee may be accompanied by helpers as necessary to get to and from a hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

### 3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

#### b. Permit in Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See B.2.f.)

#### d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specifically designated on W.M.A. maps.

ii. Approved individuals (Permittees & Helpers) may drive the ATV to a stand within 100 yards of an ATV trail. The ATV may also be used to retrieve the permittees harvested deer. Travel on an ATV beyond 100 yards of the designated trail, except to retrieve a deer, is prohibited.

iii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on or within 100 yards of handicapped ATV trails.



e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation

i. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division. If said change is sufficient to make the permanent use of a wheelchair unnecessary, the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative actions.

h. Cost

i. None

c. Mobility Impaired

1. Qualifications

a. Permanent Disability

i. The disability must be permanent and impair the applicant sufficiently to preclude walking farther than very short distances (less than 150 yards) even with mechanical aids. If the applicant may eventually recover, he or she does not qualify. If the future prognosis is uncertain, the applicant does not qualify at this time.

ii. Qualifying disabilities under this class may include, but are not limited to:

(a) Permanent and continual use of artificial limbs, crutches, leg braces, or canes due to injury, disease, or birth defect.

(b) Defects of circulatory system, respiratory system, skeletal structure, or neurological disorders caused by disease, injury, or birth defect.

iii. Non-Qualifying disabilities may include, but are not limited to:

(a) Vision impairment;

(b) Arm, hand, shoulder, or other impairments that do not affect walking;

(c) Any impairment considered to be a part of or resulting from the normal aging process;

(d) Any impairment resulting from or due to a lack of physical conditioning.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled and mobility impaired by:

(a) a Commission Approved Physician;

(b) the Disabled Hunter Review Board; and

(c) the Wildlife Division.

ii. Should the Commission Approved Physician determine the applicant is not permanently mobility impaired, the application is rejected and no permit shall be issued. If approved by the physician, the application must then be approved by the Disabled Hunter Review Board and the Wildlife Division. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the mobility impaired criterion shall not qualify for the class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not be issued permits.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons. May participate in special statewide handicapped hunts.

c. Access To Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails on W.M.A.s.

d. Helpers. Permittee may be accompanied by helpers as necessary to get to and from the hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

### 3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

#### b. Permit In Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See C.2.d.)

#### d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specially designated on W.M.A. maps.

ii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation

i. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of the permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division. If said change is sufficient to enable the permittee to walk more than 150 yards, the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative action.

h. Cost

i. None

D. Amputee of the Upper Extremity

1. Qualifications

a. Permanent Disability. The applicant must have an amputation of at least one arm, hand, or all five fingers of one hand to qualify for a permit of this class.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled as an amputee of the upper extremity by a Commission Approved Physician.

ii. Should the Commission Approved Physician determine the applicant is not an amputee of the upper extremity, the application shall be rejected. If approved by the physician, the application must then be approved by the Disabled Hunter Review Board and the Wildlife Division. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the amputee of the upper extremity criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not qualify for this permit.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons. May participate in special statewide handicapped hunts.

c. Access to Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails of W.M.A.s.

d. Crossbow. May use a crossbow to archery hunt during the statewide archery season.

e. Helpers. Permittee may be accompanied by helpers as necessary to get to and from the hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

b. Permit In Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See D.2.d.)

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specially designated on W.M.A. maps.

ii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the Permittees possession while hunting.

f. Revocation. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative action.

h. Cost

i. None

AUTHORITY NOTE: Promulgated in accordance with Act 1226 of the 1995 Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 22:

Glynn Carver  
Chairman

Mr. Tommy Prickett also handled the Establishment of a Disabled Hunter Review Board. Chairman Carver asked Mr. Prickett to give a history on how these two boards came about. Mr. Prickett stated these boards are "creatures" of the Physically Challenged Hunter rule. The disabled hunters requested they have some input in reviewing the applicants. The Louisiana Outdoorsmen with Disabilities, the Louisiana Handicapped Sportsmen, Inc., and Louisiana Department of Health and Hospitals made recommendations to the Commission for people to serve on the boards. The Disabled Hunter Review Board had the following nominations: the Louisiana Handicapped Sportsmen Inc. recommended Mr. Timothy B. Guillory and Mr. Wayne Blackwell. The Louisiana Outdoorsmen with Disabilities recommended Mr. Carl F. Plaisance and Ms. Jeannie I. Williamson. Department of Health and Hospitals has yet to submit a name, but the staff recommended Mr. David Moreland should serve on the Board since he was instrumental in putting the rule together and has met with the disabled hunter groups. Commissioner Schneider asked if

the Board would meet when necessary? Mr. Prickett stated all the applications are waiting for the review boards to be established and then the review boards would set their own schedule. Then Commissioner Schneider asked if there was a time frame for the applications to be turned in? Chairman Carver asked for a motion on the nominations for the Disabled Hunter Review Board. Commissioner Schneider made a motion to accept the nominations and was seconded by Commissioner Hanchey. The motion passed with no opposition.

Mr. Prickett then presented the nominations for the Oversight Committee which would only review those applications which were rejected somewhere in the approval process. The Louisiana Outdoorsmen with Disabilities recommended Mr. Fleming J. Trosclair, Jr.; and the Louisiana Handicapped Sportsmen, Inc. recommended Mr. Gary M. Carpenter. Recommendations for the Enforcement Division and the Wildlife Division were Col. Winton Vidrine and Mr. Tommy Prickett, respectively. Chairman Carver agreed to serve on this Committee serving as a representative of the Commission. Commissioner Schneider made a motion to accept the nominations for the Oversight Committee. This motion was seconded by Commissioner Hanchey and it passed with no opposition.

(The full text of the Resolution is made a part of the record.)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

DISABLED HUNTER REVIEW BOARD  
DISABLED HUNTER OVERSIGHT COMMITTEE

- WHEREAS,** the Louisiana Wildlife and Fisheries Commission, in accordance with the provisions of Act 1226 of the 1995 Legislature has promulgated rules for issuing three classes of disabled hunter permits, and
- WHEREAS,** the rules require that each application be approved by the Disabled Hunter Review Board before being issued, and
- WHEREAS,** the Disabled Hunter Review Board shall consist of five members to be selected by the Commission with recommendations from the Louisiana Outdoorsmen with Disabilities, Inc. (two recommendations), Louisiana Handicapped Sportsmen, Inc. (two recommendations), and the Louisiana Department of Health and Hospitals (one recommendation), and
- WHEREAS,** the rules also require that each application that is rejected during the review process shall be forwarded to a Disabled Hunter Oversight Committee for final determination, and

**WHEREAS,** this committee shall consist of five members selected by the Commission with recommendations from the Louisiana Outdoorsmen with Disabilities, Inc., the Louisiana Handicapped Sportsmen, Inc., the Wildlife Division, the Enforcement Division and the Commission, and

**WHEREAS,** these recommendations have been received by the Commission.

**THEREFORE BE IT RESOLVED,** that Mr. Carl F. Plaisance, Ms. Jeannie I. Williamson, Mr. Timothy B. Guillory, Mr. Wayne Blackwell and Mr. David Moreland are appointed to the Disabled Hunter Review Board.

**BE IT FURTHER RESOLVED,** that Mr. Glynn Carver, Mr. Winton Vidrine, Mr. Thomas Prickett, Mr. Gary M. Carpenter and Mr. Fleming J. Trosclair, Jr., are appointed to the Disabled Hunter Oversight Committee.

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Glynn Carver, Chairman  
La. Wildlife & Fisheries  
Commission

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James H. Jenkins, Jr., Secretary  
La. Department of Wildlife &  
Fisheries

Rule Ratification for the Waddill Wildlife Refuge was presented by Mr. James Manning. This ratification was for the rules and regulations on the 237 acre tract located in East Baton Rouge Parish. No public comments were received on the proposed rule. Commissioner Gisclair made a motion to accept the rule and it was seconded by Commissioner Hanchey. This motion passed with no opposition. Secretary Jenkins stated, in the Rule it was noted the hours for Waddill would be set by the Fur & Refuge Division but he felt the hours should be set by the Department. Chairman Carver asked Mr. Don Puckett if a motion was needed to amend the motion. Mr. Puckett stated a motion was needed to reconsider the item, a motion was needed to amend the rule and a motion was needed to approve the rule as amended. Commissioner Schneider made a motion to reconsider the item. Commissioner Hanchey seconded the motion and it passed with no opposition. Then Commissioner Hanchey made a motion to amend the rule as requested by Secretary Jenkins. Commissioner Gisclair seconded the motion and it also passed with no opposition. Finally, a motion to approve the rule as amended was made by Commissioner Hanchey and seconded by Commissioner Schneider. This motion passed unanimously.

(The full text of the Rule is made a part of the record.)

#### RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission



The Wildlife and Fisheries Commission hereby adopts a rule establishing visitor regulations for Waddill Wildlife Refuge.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part III. State Game and Fish Preserves and Sanctuaries**

#### **Chapter 3. Particular Game and Fish Preserves and Commissions**

##### **§325. Waddill Wildlife Refuge**

A. Purpose. Waddill Wildlife Refuge will be actively managed as a wildlife educational and learning area for youth groups, nonconsumptive users, and as a hunter safety and aquatic education training center. The following rules and regulations concerning the management, protection and utilization of this refuge have been adopted by the Louisiana Wildlife and Fisheries Commission. Failure to comply with these regulations will subject the individual to citation and/or expulsion from the refuge.

##### **B. General**

1. Access to the refuge will only be allowed through the front entrance bordering Flannery Road. All visitors will sign the register at the front office. A group of individuals may have a representative sign for the group by indicating the number in the group. Individuals less than 16 years of age must be accompanied and supervised by a person 18 years of age or older.

2. Vehicles are allowed only in designated areas and must park in provided spaces. ATV's, trail bikes, horses and mules are strictly prohibited. Restricted areas will be established for specific activities and visitors will not enter these areas unless they are part of the specific activity allowing access to that area.

3. All dogs are prohibited unless participating in a Department-sponsored activity, such as a retriever demonstration during an educational activity. All dogs running at large are prohibited; and the owner or handler of said dogs will be held liable for any personal injury or property damage, and will be subject to criminal citation.

4. Citizens are cautioned that by entering the refuge they or their vehicles may be subject to license checks, inspections and searches. Wildlife Officers will have the duty and right to restrict access to the refuge as necessary.

5. Refuge hours will be set by the Department of Wildlife and Fisheries (hereinafter "department") and will be

posted at the entrance. All visitors will abide by the posted hours. Educational activities may be held outside the normal open hours of the refuge by prior arrangement and permission of the department. All participants of these activities will confine their use of the refuge to the designated area of the activity.

6. Hunting, pursuing, killing, molesting, or intentionally disturbing any type of wildlife is prohibited; provided that the Department may conduct activities necessary to properly manage wildlife on the area.

7. Camping is prohibited; provided that the department is authorized to establish and maintain specific camping areas for use by organized groups under policy established by the department. If areas are established, they will not be used by the public.

8. Littering is prohibited. Visitors must remove their litter or place litter in appropriate litter disposal containers.

9. Damage to or removal of trees, shrubs, flowers, or wild plants is strictly prohibited.

10. The possession of firearms, bows, and controlled dangerous substances by the public on the refuge is prohibited; provided that the department is authorized to construct, maintain and operate ranges, in which case, shotguns and bows will be permitted under guidelines developed by the department.

11. Access to all nature trails is limited to pedestrians only. No vehicles, ATV's, trail bikes, horses or mules are allowed. Individuals utilizing the nature trails must remain on the designated trail. No picnicking is allowed on the trails. All trash must be disposed of in designated litter containers.

12. Individual groups may submit written requests to reserve a specific part of the refuge for a special group event. The remaining unreserved portion of the refuge shall be open to the public.

13. Violation of any part of this section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq. and 56:109.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22: (September 1996).

Glynn Carver  
Chairman

Mr. James Manning also presented the Rule Ratification for Timken Wildlife Management Area. This 3,900 acre area is adjacent to Salvador Wildlife Management Area in St. Charles Parish. These regulations are identical to those established for Salvador WMA. No public comments were received on the proposed rule. Commissioner Schneider made a motion to accept the rule and it was seconded by Commissioner Hanchey. This motion passed with no opposition.

(The full text of the Rule is made a part of the record.)

#### **RULE**

#### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission hereby adopts a rule establishing visitor regulations for Timken Wildlife Management Area.

#### **Title 76**

#### **WILDLIFE AND FISHERIES**

#### **Part III. State Game and Fish Preserves and Sanctuaries**

#### **Chapter 3. Particular Game and Fish Preserves and Commissions**

#### **§327. Timken Wildlife Management Area**

##### **A. Visitors Regulations**

1. Morning hunting only on all game (closed 12 noon). All nighttime activities prohibited (including frogging) from 30 minutes after official sunset to one and one-half hours before sunrise.

2. Basic resident and non-resident hunting licenses will serve as season permits on Timken Wildlife Management Area (hereinafter "Timken"). If daily permits are required, they may be obtained from permit stations located on or near Timken. Hunters must check out daily one-half hour after the end of the legal shooting hours.

3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the department in emergency situations (floods, disease outbreaks or other critical circumstances).

4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not

allowed in boats under motor power on Timken. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Timken except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and other forms of practice shooting are prohibited on Timken.

5. Construction of and hunting from permanent blinds on Timken is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries (hereinafter "Department") and disposed of by the Department.

6. Except for bird hunting, duck hunting, and rabbit hunting when allowed, having or using dogs on Timken is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Timken during experimental rabbit season.

7. Commercial fishing is prohibited.

8. Recreational Fishing

a. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season 25 pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season 10 pounds per boat per day, heads on may be taken for bait.

b. Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Hospitals' approval and may be closed at any time by the Department.

c. Fish may be taken by rod and reel or hand lines for recreational purposes only.

d. Crabs may be taken through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs are allowed per boat or vehicle per day.

e. Crawfish may be harvested in unrestricted portions of the wildlife management area and shall be limited to 100 pounds per boat or group. Fishing gear used to catch crawfish shall not remain set overnight.

f. The harvest of all fish, shrimp, oysters, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

9. Boats powered by internal combustion engines having horsepower ratings above 25 H.P. are permitted only in oil company access canals. Operation of the above described internal combustion engines in interior ditches are prohibited.

10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited.

11. The use of airboats, aircraft, hover craft, all-terrain vehicles and all-terrain cycles and motorcycles are prohibited except as specifically authorized by Department personnel.

12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Possession of controlled dangerous substances (drugs) onto the wildlife management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Department at anytime.

13. Trapping is allowed only by written agreement with the Department.

14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Department at anytime. Damage to or removal of trees, shrubs and wild plants on Timken without prior approval is prohibited.

15. No littering allowed.

16. Violation of any part of this section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq. and 56:109..

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22: (September 1996).

Glynn Carver  
Chairman

The annual **Declaration of Emergency to Set Trapping Season Dates** was handled by Mr. James Manning. For many years, Louisiana was the number one producer of fur in the United States, but during the 1980's, the fur industry collapsed. For 1995, the total take of furs was estimated at 281,000 pelts. A total of 1,700 trapping licenses were sold during 1995. Approximately 189,000 nutria were taken last year with the price of nutria going up at the end of the season. It was reported that should the price stay where it ended last year, then there should be a significant increase in the numbers of nutria taken this year. Mr. Manning explained how there are pending orders for nutria but there are no individuals or businesses that would buy large amounts of nutria pelts and store them until the manufacturers were ready to buy them. Landowners from the coastal areas would attempt to purchase large quantities of the furs to be held until such time as the foreign buyers, dealers or manufacturers come to Louisiana to purchase them. The statewide opening season dates for last year were November 20, 1995 through March 20, 1996. These dates worked well because it allowed trappers to capture certain species when they were prime and the buyers were ready to buy. The objective was to allow a maximum number of days to increase the harvest of nutria, beaver and raccoon. Mr. Manning then asked the Commission to approve a Declaration of Emergency establishing November 20, 1996 through March 20, 1997 as the statewide trapping season dates for this year. Chairman Carver asked what was the going price for nutria at the end of last year? Mr. Manning stated the western nutria was going for \$4.50 dried and the price for eastern nutria went up to \$2.15. Chairman Carver asked what caused the nutria fur market to collapse? Mr. Manning explained some of the numerous factors, such as consecutive warm winters in Europe, a global recession and the anti-hunters that are opposed to leg hold traps. Chairman Carver asked if there was not a demand for the furs? Commissioner Schneider asked Mr. Manning what happened to the New York brokers, and was he anticipating going through the brokers anymore. Then he asked if both meat and hides would be sold? Mr. Manning explained how another new operation was developed last year that would inspect nutria meat so it could be sold for human consumption. Hearing no further discussion, Chairman Carver asked the pleasure of the Commission. Commissioner Gisclair made a motion to accept the Declaration of Emergency. Commissioner Cormier seconded the motion and it passed with no opposition.

(The full text of the Declaration of Emergency is made a part of the record.)

## DECLARATION OF EMERGENCY

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and R.S. 49:967(D) which provides that the Wildlife and Fisheries Commission use emergency procedures to set the 1996-97 fur harvest season statewide from November 20, 1996 through March 20, 1997. Authority to extend or shorten the adopted season by the Secretary is hereby authorized by the Wildlife and Fisheries Commission.

Glynn Carver  
Chairman

A Declaration of Emergency to Delay in Opening Oyster Season in Calcasieu Lake & West Cove was the next item to be discussed. Mr. Ron Dugas stated a request was received from Representative Dan Flavin of the Cameron and Calcasieu area to delay the opening date in his area from October 16 to November 1. This request was on behalf of his constituents. The staff indicated to Representative Flavin that they would not recommend the season be delayed or any other changes be made. Representative Flavin asked this item be placed on the agenda any way to see if any constituents would voice their concerns at the Commission Meeting. Mr. Dugas then stated, after looking at the oysters, it was anticipated there would be an abundance of oysters. The season that was established will allow the fishermen the maximum number of days to fish oysters. Mr. Dugas asked the Commission to maintain the season as it was established. Commissioner Gisclair asked if no action was taken, would the season remain as set? Commissioner Schneider stated, if no action was taken, then either the Secretary or the Chairman should write a letter to Representative Flavin explaining why no action was taken.

Since no action was taken on the above item, Chairman Carver stated we would taken up the item, **Notice of Intent on the Special Bait Dealer's Permit**. Mr. Brandt Savoie stated representatives from the Marine Fisheries and Enforcement Divisions met with bait dealer's in May to discuss this program. One concern was on the amount of dead bait allowed on board a vessel. The rule in effect now said "no dead shrimp" could be on a vessel. The representatives agreed to allow up to two gallons of dead bait on board. Mr. Savoie asked the Commission to adopt the Notice of Intent as suggested. Chairman Carver asked how was two gallons arrived at, and was it a consensus of those that met? Commissioner Hanchey made a motion to accept the Notice of Intent and was seconded by Commissioner Cormier. This motion passed with no opposition.

(The full text of the Notice of Intent is made a part of the record.)

## NOTICE OF INTENT

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the regulations governing the Special Bait Dealer's Permit (LAC 76:VII.329). Authority for adoption of this rule is included in R.S. 56:497(C).

## Title 76

### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishing

#### §329. Special Bait Dealer's Permit

\* \* \*

##### C. Operations

\* \* \*

3. No more than two gallons of dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp in excess of two gallons must be immediately returned to the water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:210 (April 1977), amended LR 15:867 (October 1989), LR 19:215 (February 1993), LR 22: .

Interested persons may submit written comments relative to the proposed rule to: Mr. L. Brandt Savoie, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 prior to November 5, 1996.

Glynn Carver  
Chairman



Commissioner Schneider asked that a report on the Cocaho Minnow be presented at the October Commission Meeting.

At this point, Mr. Tommy Prickett asked Mr. Mike Olinde to provide a brief report on the dove fields leasing program to the Commissioners. Mr. Olinde stated leasing fields for dove hunting has been going on for three years now. For the last two years, there were five fields leased. This year, a total of 900 acres were leased in East Carroll, Avoyelles, Tangipahoa and West Baton Rouge Parishes. Approximately 600 hunters used these fields and bagged 1,700 birds. Success rates were variable. Chairman Carver asked if this data was last year's or for the past weekend? Mr. Olinde stated it was from the past weekend, but did not include information from the WMA's. The cost of the program for this year was \$5,550 for the leases but the Department only collected \$3,145. Mr. Olinde felt this was a successful project and hoped it would continue.

After several minutes of discussion, the Commissioners agreed to hold the **January 1997 Meeting** on Thursday, January 9, 1997 beginning at 1:00 p.m. in the Baton Rouge office.

Chairman Carver then asked if there were any **Public Comments** and none were heard.

There being no further business, Commissioner Gisclair made a motion to **Adjourn** the meeting and was seconded by Commissioner Cormier.



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James H. Jenkins, Jr.  
Secretary

JHJ:sch

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby adopts a rule establishing visitor regulations for Waddill Wildlife Refuge.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part III. State Game and Fish Preserves and Sanctuaries**

**Chapter 3. Particular Game and Fish Preserves and Commissions**

**§325. Waddill Wildlife Refuge**

A. Purpose. Waddill Wildlife Refuge will be actively managed as a wildlife educational and learning area for youth groups, nonconsumptive users, and as a hunter safety and aquatic education training center. The following rules and regulations concerning the management, protection and utilization of this refuge have been adopted by the Louisiana Wildlife and Fisheries Commission. Failure to comply with these regulations will subject the individual to citation and/or expulsion from the refuge.

B. General

1. Access to the refuge will only be allowed through the front entrance bordering Flannery Road. All visitors will sign the register at the front office. A group of individuals may have a representative sign for the group by indicating the number in the group. Individuals less than 16 years of age must be accompanied and supervised by a person 18 years of age or older.

2. Vehicles are allowed only in designated areas and must park in provided spaces. ATV's, trail bikes, horses and mules are strictly prohibited. Restricted areas will be established for

specific activities and visitors will not enter these areas unless they are part of the specific activity allowing access to that area.

3. All dogs are prohibited unless participating in a Department-sponsored activity, such as a retriever demonstration during an educational activity. All dogs running at large are prohibited; and the owner or handler of said dogs will be held liable for any personal injury or property damage, and will be subject to criminal citation.

4. Citizens are cautioned that by entering the refuge they or their vehicles may be subject to license checks, inspections and searches. Wildlife Officers will have the duty and right to restrict access to the refuge as necessary.

5. Refuge hours will be set by the <sup>Dept.</sup> ~~Fur & Refuge~~ ~~Division~~ (hereinafter "Division") and will be posted at the entrance. All visitors will abide by the posted hours. Educational activities may be held outside the normal open hours of the refuge by prior arrangement and permission of the Division. All participants of these activities will confine their use of the refuge to the designated area of the activity.

6. Hunting, pursuing, killing, molesting, or intentionally disturbing any type of wildlife is prohibited; provided that the Department may conduct activities necessary to properly manage wildlife on the area.

7. Camping is prohibited; provided that the Division is authorized to establish and maintain specific camping areas for use by organized groups under policy established by the Division. If

areas are established, they will not be used by the public.

8. Littering is prohibited. Visitors must remove their litter or place litter in appropriate litter disposal containers.

9. Damage to or removal of trees, shrubs, flowers, or wild plants is strictly prohibited.

10. The possession of firearms, bows, and controlled dangerous substances by the public on the refuge is prohibited; provided that the Division is authorized to construct, maintain and operate ranges, in which case, shotguns and bows will be permitted under guidelines developed by the Division.

11. Access to all nature trails is limited to pedestrians only. No vehicles, ATV's, trail bikes, horses or mules are allowed. Individuals utilizing the nature trails must remain on the designated trail. No picnicking is allowed on the trails. All trash must be disposed of in designated litter containers.

12. Individual groups may submit written requests to reserve a specific part of the refuge for a special group event. The remaining unreserved portion of the refuge shall be open to the public.

13. Violation of any part of this section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq. and 56:109.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22: .

Glynn Carver

Chairman

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

September 6, 1996

Mr. Roy O. Smith, P.E.  
Deputy district Engineer for Project Management  
U.S. Army Corps of Engineers  
2101 North Frontage Rd.  
Vicksburg, MS 39180-5191

RE: Pearl River in the Vicinity of Walkiah Bluff  
Mississippi and Louisiana

Dear Mr. Smith:

The Louisiana Department of Wildlife and Fisheries provided comments on the above referenced project on June 3, 1996. In those comments we made some recommendations about modifications to the advanced copy of the DEIS and addressed some of the information contained therein. A copy of our letter is included in the July 1996 release of the DEIS.

The Department has, in the interim, become concerned over ancillary impacts that may result from the water diversion that were not addressed in the DEIS. In addition, The Louisiana Wildlife and Fisheries Commission, at its regular meeting on September 5, 1996 directed the Department to request a time extension of 30 days for additional comment on the DEIS. The Commission also requested that the Department ask for a public hearing to be held in Slidell to discuss this project. By this letter, we are so doing. It appears that the St. Tammany Parish Government was not formally notified of this project. All of the proposed structures are wholly within St. Tammany Parish.


There are other issues that both we and the Commission would like to have addressed. What is the potential for Farr's Slough to capture the diverted flow, thus preventing it from returning to the West Pearl via Holmes Bayou? Our position on this project is contingent upon the return flow through Holmes and the enhancement of that stream as a result of the diversion. We cannot agree to condone any additional intentional or unintentional diversion of water not specifically addressed in the DEIS.

Mr. Roy O. Smith  
Walkiah Bluff DEIS  
Page -2-

In light of information from sources other than the DEIS, mercury appears to be a problem in the Pearl River system. Louisiana DEQ and Department of Health and Hospitals has issued a mercury advisory on the Bogue Chitto River. Mercury has also been shown to be present in the Pearl River near Bogalusa, LA. We have also found that metal to be a widespread problem in both our inland surface waters and in our coastal waters. We understand that the State of Mississippi has identified some of the same problems with that metal. Therefore, we are requesting that prior to any dredging in the Pearl River, either East or West, that sediment analyses be conducted at least to the depth of excavation.

Please also be reminded that, as acknowledged as a possibility in the DEIS, a Scenic River Permit will be required for the structure in Wilson Slough. Any outstanding environmental issues of concern to this department not addressed prior to an application for that permit may be required to be addressed as a condition of that permit.

Sincerely,



James H. Jenkins, Jr.,  
Secretary

JHJ:MBW:mw

cc: Governor's Office:Coastal Activities  
Louisiana Wildlife & Fisheries Commission ✓  
DEQ, Office of Water Resources  
DHH, Environmental Epidemiology  
St. Tammany Parish Council

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Monday, September 9, 1996

Chairman Glynn Carver presiding.

Jerald Hanchey  
Perry Gisclair  
Joseph Cormier  
Jeff Schneider

Secretary James H. Jenkins, Jr. was also present.

Commissioners Daniel Babin and Edmund McIlhenny were absent ~~from the meeting.~~

Chairman Carver called for a motion for approval of the **August 8, 1996 Commission Minutes**. A motion for approval was made by Commissioner Schneider and seconded by Commissioner Gisclair. The motion passed with no opposition.

**Rule Ratification on the Physically Challenged Hunter Program** was presented by Mr. Tommy Prickett. The proposed rule has been in a review process since adoption of the Notice of Intent, stated Mr. Prickett. A lot of correspondence was received on the proposed rule. When the Commissioners voted to allow other classes of disabled hunters to kill buck deer only with a crossbow, this resolved most of the public's concerns the staff received. Two amendments were made to the Notice of Intent. The first was removing the \$10 issuing fee and the second was redefining the "Commission Approved Physician" ~~definition~~ in the proposed rule. Mr. Prickett asked the Commissioners for a vote to ratify the rule. Commissioner Schneider asked if the possible abuse was taken into account and would there be a review of all applicants? Mr. Prickett explained the process that would be undertaken for an applicant to receive a Disabled Hunter Permit. Commissioner Hanchey made a motion to ratify the rule. Commissioner Gisclair seconded the motion and it passed with no opposition.

(The full text of the Rule is made a part of the record.)

RULE

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

Draft  
Corrections made  
9/11/96 - sch

The Wildlife and Fisheries Commission does hereby promulgate rules governing the issuance and methods by which Disabled Hunters Permits will be issued.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part XIX. Hunting**

##### **Chapter 1. Resident Game Hunting Seasons**

##### **§105. Physically Challenged Hunters Permit**

###### **A. Definitions**

Amputee of the Upper Extremity - an individual suffering the loss of at least one arm, hand, or five fingers from one hand.

ATV - a small motorized vehicle designed for off road use, weighing less than 600 pounds, designed for no more than two passengers, with a maximum of six wheels, and tires with a manufacturers recommended air pressure of less than 10 pounds per square inch.

Commission - the Louisiana Wildlife and Fisheries Commission.

Commission Approved Physician - any physician licensed to practice medicine by the Louisiana State Board of Medical Examiners who evaluates permit applicants to determine the Disabled Hunter Rule classification of permanent disability.

Department - the Louisiana Department of Wildlife and Fisheries.

Disabled Hunter Oversight Committee - a committee of five individuals which collectively have final authority to approve or deny, by majority vote, rejected applications for Disabled Hunter Permits. The five members of the committee shall be appointed by the Commission from the Louisiana Outdoorsmen With Disabilities Inc., Louisiana Handicapped Sportsmen, Inc., the Wildlife Division, the Enforcement Division, and the Commission.

Disabled Hunter Review Board - a board of five individuals which collectively review and approve or reject, by majority vote, applications for Disabled Hunter Permits. The Board shall be selected by the Commission with recommendations from: the Louisiana Outdoorsmen With Disabilities Inc. (two recommendations), Louisiana Handicapped Sportsmen, Inc. (two recommendations), and the Louisiana Department of Health and Hospitals (one recommendation).



Disabled Hunter Permit - a permit issued by the Department of Wildlife and Fisheries to qualified disabled individuals.

Enforcement Division - the Enforcement Division of the Louisiana Department of Wildlife and Fisheries.

Handicap ATV Permit - a permit issued by the Wildlife Division to certain disabled hunters to allow access to the specially designated handicapped ATV trails on Wildlife Management Areas.

Helper - an individual who accompanies a permitted disabled hunter to assist the disabled hunter in accessing a hunting area, carrying hunting gear, and retrieving harvested game.

Mobility Impaired - a permanent disability caused by injury, illness, or birth defect that prevents an individual from walking farther than very short distances (less than 150 yards) even with the help of mechanical aids.

Permanent Disability - a qualifying disability that a Commission Approved Physician, the Disabled Hunter Review Board, and the Wildlife Division or the Disabled Hunter Oversight Committee have determined will not improve over time or with medical treatment.

Special Deer Season - a special deer season only for individuals with valid Disabled Hunter Permits established by the Louisiana Wildlife and Fisheries Commission.

Special Handicapped Hunt - special hunt or hunts on certain W.M.A.s only for individuals with valid Disabled Hunter Permits.

Wheelchair Bound - a permanent disability that prohibits mobility by any means other than a wheelchair.

Wildlife Division - the Wildlife Division of the Louisiana Department of Wildlife and Fisheries.

W.M.A. - a tract of land managed by the Louisiana Department of Wildlife and Fisheries and proclaimed as a Wildlife Management Area by the governor of Louisiana.

## B. Wheelchair Bound

### 1. Qualifications

a. Permanent Disability. The disability must permanently confine the applicant to the use of a wheelchair. If the Applicant may eventually recover enough to not require the use

of a wheelchair, he or she does not qualify for this class permit. If the future prognosis is uncertain, the applicant does not qualify at this time.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled and confined to a wheelchair by:

- (a) a Commission Approved Physician;
- (b) the Disabled Hunter Review Board; and
- (c) the Wildlife Division.

ii. Should the Commission Approved Physician determine the applicant is not permanently confined to a wheelchair for medical reasons, the application is rejected and no permit shall be issued. If approved by the physician, the application must then be approved by the Wildlife Division and The Disabled Hunter Review Board. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the confined to a wheelchair criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not be issued permits.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons

i. May participate in special statewide handicapped hunts.

ii. May take either-sex deer on private lands statewide during the entire gun deer season and during the muzzle loader season. This provision does not include W.M.A.'s, National Wildlife Refuges, Kisatchie National Forest, or other federal properties.

c. Crossbow. May use a crossbow to archery hunt during the statewide archery season.

d. Access To Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails on W.M.A.s.

e. Hunting From Vehicles. May hunt resident game from a stationary vehicle or stationary boat statewide, provided that this activity does not violate state or parish laws.

f. Helpers. Permittee may be accompanied by helpers as necessary to get to and from a hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

### 3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

#### b. Permit in Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See B.2.f.)

#### d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specifically designated on W.M.A. maps.

ii. Approved individuals (Permittees & Helpers) may drive the ATV to a stand within 100 yards of an ATV trail. The ATV may also be used to retrieve the permittees harvested deer. Travel on an ATV beyond 100 yards of the designated trail, except to retrieve a deer, is prohibited.

iii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows

or other equipment while on or within 100 yards of handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation

i. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division. If said change is sufficient to make the permanent use of a wheelchair unnecessary, the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative actions.

h. Cost

i. None

C. Mobility Impaired

1. Qualifications

a. Permanent Disability

i. The disability must be permanent and impair the applicant sufficiently to preclude walking farther than very short distances (less than 150 yards) even with mechanical aids. If the applicant may eventually recover, he or she does not qualify. If the future prognosis is uncertain, the applicant does not qualify at this time.

ii. Qualifying disabilities under this class may include, but are not limited to:

(a) Permanent and continual use of artificial limbs, crutches, leg braces, or canes due to injury, disease, or birth defect.

(b) Defects of circulatory system, respiratory system, skeletal structure, or neurological disorders caused by disease, injury, or birth defect.

iii. Non-Qualifying disabilities may include, but are not limited to:

(a) Vision impairment;

(b) Arm, hand, shoulder, or other impairments that do not affect walking;

(c) Any impairment considered to be a part of or resulting from the normal aging process;

(d) Any impairment resulting from or due to a lack of physical conditioning.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled and mobility impaired by:

(a) a Commission Approved Physician;

(b) the Disabled Hunter Review Board; and

(c) the Wildlife Division.

ii. Should the Commission Approved Physician determine the applicant is not permanently mobility impaired, the application is rejected and no permit shall be issued. If approved by the physician, the application must then be approved by the Disabled Hunter Review Board and the Wildlife Division. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the mobility impaired criterion shall not qualify for the class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not be issued permits.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons. May participate in special statewide handicapped hunts.

c. Access To Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails on W.M.A.s.

d. Helpers. Permittee may be accompanied by helpers as necessary to get to and from the hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

### 3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

#### b. Permit In Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See C.2.d.)

#### d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specially designated on W.M.A. maps.

ii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation

i. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of the permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division. If said change is sufficient to enable the permittee to walk more than 150 yards, the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative action.

h. Cost

i. None

D. Amputee of the Upper Extremity

1. Qualifications

a. Permanent Disability. The applicant must have an amputation of at least one arm, hand, or all five fingers of one hand to qualify for a permit of this class.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled as an amputee of the upper extremity by a Commission Approved Physician.

ii. Should the Commission Approved Physician determine the applicant is not an amputee of the upper extremity, the application shall be rejected. If approved by the physician, the application must then be approved by the Disabled Hunter Review Board and the Wildlife Division. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the amputee of the upper extremity criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not qualify for this permit.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons. May participate in special statewide handicapped hunts.

c. Access to Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails of W.M.A.s.

d. Crossbow. May use a crossbow to archery hunt during the statewide archery season.

e. Helpers. Permittee may be accompanied by helpers as necessary to get to and from the hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

b. Permit In Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See D.2.d.)

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specially designated on W.M.A. maps.



ii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the Permittees possession while hunting.

f. Revocation. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative action.

h. Cost

i. None

AUTHORITY NOTE: Promulgated in accordance with Act 1226 of the 1995 Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 22:

Glynn Carver  
Chairman

Mr. Tommy Prickett also handled the **Establishment of a Disabled Hunter Review Board**. Chairman Carver asked Mr. Prickett to give a history on how these two boards came about. Mr. Prickett stated these boards are "creatures" of the Physically Challenged Hunter rule. The disabled hunters requested they have some input in reviewing the applicants. The Louisiana Outdoorsmen with Disabilities, the Louisiana Handicapped Sportsmen, Inc., and Louisiana Department of Health and Hospitals made recommendations to the Commission for people to serve on the boards. The Disabled Hunter Review Board had the following nominations: the Louisiana Handicapped Sportsmen Inc. recommended Mr. Timothy B. Guillory and Mr. Wayne Blackwell. The Louisiana Outdoorsmen with Disabilities recommended Mr. Carl F. Plaisance and Ms. Jeannie I. Williamson. Department of Health and Hospitals has yet to submit a name, but the staff recommended Mr. David Moreland should serve on the Board since he was instrumental in putting the rule together and has met with the disabled hunter groups. Commissioner Schneider asked if

the Board would meet when necessary? Mr. Prickett stated all the applications are waiting for the review boards to be established and then the review boards would set their own schedule. Then Commissioner Schneider asked if there was a time frame for the applications to be turned in? Chairman Carver asked for a motion on the nominations for the Disabled Hunter Review Board. Commissioner Schneider made a motion to accept the nominations and was seconded by Commissioner Hanchey. The motion passed with no opposition.

Mr. Prickett then presented the nominations for the Oversight Committee which would only review those applications which were rejected somewhere in the approval process. The Louisiana Outdoorsmen with Disabilities recommended Mr. Fleming J. Trosclair, Jr.; and the Louisiana Handicapped Sportsmen, Inc. recommended Mr. Gary M. Carpenter. Recommendations for the Enforcement Division and the Wildlife Division were Col. Winton Vidrine and Mr. Tommy Prickett, respectively. Chairman Carver agreed to serve on this Committee serving as a representative of the Commission. Commissioner Schneider made a motion to accept the nominations for the Oversight Committee. This motion was seconded by Commissioner Hanchey and it passed with no opposition.

(The full text of the Resolution is made a part of the record.)

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

DISABLED HUNTER REVIEW BOARD  
DISABLED HUNTER OVERSIGHT COMMITTEE

- WHEREAS,** the Louisiana Wildlife and Fisheries Commission, in accordance with the provisions of Act 1226 of the 1995 Legislature has promulgated rules for issuing three classes of disabled hunter permits, and
- WHEREAS,** the rules require that each application be approved by the Disabled Hunter Review Board before being issued, and
- WHEREAS,** the Disabled Hunter Review Board shall consist of five members to be selected by the Commission with recommendations from the Louisiana Outdoorsmen with Disabilities, Inc. (two recommendations), Louisiana Handicapped Sportsmen, Inc. (two recommendations), and the Louisiana Department of Health and Hospitals (one recommendation), and
- WHEREAS,** the rules also require that each application that is rejected during the review process shall be forwarded to a Disabled Hunter Oversight Committee for final determination, and

**WHEREAS,** this committee shall consist of five members selected by the Commission with recommendations from the Louisiana Outdoorsmen with Disabilities, Inc., the Louisiana Handicapped Sportsmen, Inc., the Wildlife Division, the Enforcement Division and the Commission, and

**WHEREAS,** these recommendations have been received by the Commission.

**THEREFORE BE IT RESOLVED,** that Mr. Carl F. Plaisance, Ms. Jeannie I. Williamson, Mr. Timothy B. Guillory, Mr. Wayne Blackwell and Mr. David Moreland are appointed to the Disabled Hunter Review Board.

**BE IT FURTHER RESOLVED,** that Mr. Glynn Carver, Mr. Winton Vidrine, Mr. Thomas Prickett, Mr. Gary M. Carpenter and Mr. Fleming J. Trosclair, Jr., are appointed to the Disabled Hunter Oversight Committee.

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Glynn Carver, Chairman  
La. Wildlife & Fisheries  
Commission

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James H. Jenkins, Jr., Secretary  
La. Department of Wildlife &  
Fisheries

**Rule Ratification for the Waddill Wildlife Refuge** was presented by Mr. James Manning. This ratification was for the rules and regulations on the 237 acre tract located in East Baton Rouge Parish. No public comments were received on the proposed rule. Commissioner Gisclair made a motion to accept the rule and it was seconded by Commissioner Hanchey. This motion passed with no opposition. Secretary Jenkins stated, in the Rule it was noted the hours for Waddill would be set by the Fur & Refuge Division but he felt the hours should be set by the Department. Chairman Carver asked Mr. Don Puckett if a motion was needed to amend the motion. Mr. Puckett stated a motion was needed to reconsider the item, a motion was needed to amend the rule and a motion was needed to approve the rule as amended. Commissioner Schneider made a motion to reconsider the item. Commissioner Hanchey seconded the motion and it passed with no opposition. Then Commissioner Hanchey made a motion to amend the rule as requested by Secretary Jenkins. Commissioner Gisclair seconded the motion and it also passed with no opposition. Finally, a motion to approve the rule as amended was made by Commissioner Hanchey and seconded by Commissioner Schneider. This motion passed unanimously.

(The full text of the Rule is made a part of the record.)

**RULE**

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission hereby adopts a rule establishing visitor regulations for Waddill Wildlife Refuge.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part III. State Game and Fish Preserves and Sanctuaries**

#### **Chapter 3. Particular Game and Fish Preserves and Commissions**

##### **§325. Waddill Wildlife Refuge**

A. Purpose. Waddill Wildlife Refuge will be actively managed as a wildlife educational and learning area for youth groups, nonconsumptive users, and as a hunter safety and aquatic education training center. The following rules and regulations concerning the management, protection and utilization of this refuge have been adopted by the Louisiana Wildlife and Fisheries Commission. Failure to comply with these regulations will subject the individual to citation and/or expulsion from the refuge.

##### **B. General**

1. Access to the refuge will only be allowed through the front entrance bordering Flannery Road. All visitors will sign the register at the front office. A group of individuals may have a representative sign for the group by indicating the number in the group. Individuals less than 16 years of age must be accompanied and supervised by a person 18 years of age or older.

2. Vehicles are allowed only in designated areas and must park in provided spaces. ATV's, trail bikes, horses and mules are strictly prohibited. Restricted areas will be established for specific activities and visitors will not enter these areas unless they are part of the specific activity allowing access to that area.

3. All dogs are prohibited unless participating in a Department-sponsored activity, such as a retriever demonstration during an educational activity. All dogs running at large are prohibited; and the owner or handler of said dogs will be held liable for any personal injury or property damage, and will be subject to criminal citation.

4. Citizens are cautioned that by entering the refuge they or their vehicles may be subject to license checks, inspections and searches. Wildlife Officers will have the duty and right to restrict access to the refuge as necessary.

5. Refuge hours will be set by the Department of Wildlife and Fisheries (hereinafter "department") and will be

posted at the entrance. All visitors will abide by the posted hours. Educational activities may be held outside the normal open hours of the refuge by prior arrangement and permission of the department. All participants of these activities will confine their use of the refuge to the designated area of the activity.

6. Hunting, pursuing, killing, molesting, or intentionally disturbing any type of wildlife is prohibited; provided that the Department may conduct activities necessary to properly manage wildlife on the area.

7. Camping is prohibited; provided that the department is authorized to establish and maintain specific camping areas for use by organized groups under policy established by the department. If areas are established, they will not be used by the public.

8. Littering is prohibited. Visitors must remove their litter or place litter in appropriate litter disposal containers.

9. Damage to or removal of trees, shrubs, flowers, or wild plants is strictly prohibited.

10. The possession of firearms, bows, and controlled dangerous substances by the public on the refuge is prohibited; provided that the department is authorized to construct, maintain and operate ranges, in which case, shotguns and bows will be permitted under guidelines developed by the department.

11. Access to all nature trails is limited to pedestrians only. No vehicles, ATV's, trail bikes, horses or mules are allowed. Individuals utilizing the nature trails must remain on the designated trail. No picnicking is allowed on the trails. All trash must be disposed of in designated litter containers.

12. Individual groups may submit written requests to reserve a specific part of the refuge for a special group event. The remaining unreserved portion of the refuge shall be open to the public.

13. Violation of any part of this section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq. and 56:109.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22: (September 1996).

Glynn Carver  
Chairman

Mr. James Manning also presented the **Rule Ratification for Timken Wildlife Management Area**. This 3,900 acre area is adjacent to Salvador Wildlife Management Area in St. Charles Parish. These regulations are identical to those established for Salvador WMA. No public comments were received on the proposed rule. Commissioner Schneider made a motion to accept the rule and it was seconded by Commissioner Hanchey. This motion passed with no opposition.

(The full text of the Rule is made a part of the record.)

#### **RULE**

#### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission hereby adopts a rule establishing visitor regulations for Timken Wildlife Management Area.

#### **Title 76**

#### **WILDLIFE AND FISHERIES**

#### **Part III. State Game and Fish Preserves and Sanctuaries**

#### **Chapter 3. Particular Game and Fish Preserves and Commissions**

#### **§327. Timken Wildlife Management Area**

##### **A. Visitors Regulations**

1. Morning hunting only on all game (closed 12 noon). All nighttime activities prohibited (including frogging) from 30 minutes after official sunset to one and one-half hours before sunrise.

2. Basic resident and non-resident hunting licenses will serve as season permits on Timken Wildlife Management Area (hereinafter "Timken"). If daily permits are required, they may be obtained from permit stations located on or near Timken. Hunters must check out daily one-half hour after the end of the legal shooting hours.

3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the department in emergency situations (floods, disease outbreaks or other critical circumstances).

4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not

allowed in boats under motor power on Timken. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Timken except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and other forms of practice shooting are prohibited on Timken.

5. Construction of and hunting from permanent blinds on Timken is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries (hereinafter "Department") and disposed of by the Department.

6. Except for bird hunting, duck hunting, and rabbit hunting when allowed, having or using dogs on Timken is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Timken during experimental rabbit season.

7. Commercial fishing is prohibited.

8. Recreational Fishing

a. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season 25 pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season 10 pounds per boat per day, heads on may be taken for bait.

b. Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Hospitals' approval and may be closed at any time by the Department.

c. Fish may be taken by rod and reel or hand lines for recreational purposes only.

d. Crabs may be taken through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs are allowed per boat or vehicle per day.

e. Crawfish may be harvested in unrestricted portions of the wildlife management area and shall be limited to 100 pounds per boat or group. Fishing gear used to catch crawfish shall not remain set overnight.

f. The harvest of all fish, shrimp, oysters, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

9. Boats powered by internal combustion engines having horsepower ratings above 25 H.P. are permitted only in oil company access canals. Operation of the above described internal combustion engines in interior ditches are prohibited.

10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited.

11. The use of airboats, aircraft, hover craft, all-terrain vehicles and all-terrain cycles and motorcycles are prohibited except as specifically authorized by Department personnel.

12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Possession of controlled dangerous substances (drugs) onto the wildlife management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Department at anytime.

13. Trapping is allowed only by written agreement with the Department.

14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Department at anytime. Damage to or removal of trees, shrubs and wild plants on Timken without prior approval is prohibited.

15. No littering allowed.

16. Violation of any part of this section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq. and 56:109.



HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22: (September 1996).

Glynn Carver  
Chairman

The annual **Declaration of Emergency to Set Trapping Season Dates** was handled by Mr. James Manning. For many years, Louisiana was the number one producer of fur in the United States, but during the 1980's, the fur industry collapsed. For 1995, the total take of furs was estimated at 281,000 pelts ~~harvested~~. A total of 1,700 trapping licenses were sold during 1995. Approximately 189,000 nutria were taken last year with the price of nutria going up at the end of the season. It was reported that should the price stay where it ended last year, then there should be a significant increase in the numbers of nutria taken this year. Mr. Manning explained how there are pending orders for nutria but there are no individuals or businesses that would buy large amounts of nutria and store them until the manufacturers were ready to buy them. Landowners from the coastal areas would attempt to purchase large quantities of the furs to be held until such time as the foreign buyers, dealers or manufacturers come to Louisiana to purchase them. The statewide opening season dates for last year were November 20, 1995 through March 20, 1996. These dates worked well because it allowed trappers to capture certain species when they were prime and the buyers were ready to buy. The objective was to allow a maximum number of days to increase the harvest of nutria, beaver and raccoon. Mr. Manning then asked the Commission to approve a Declaration of Emergency establishing November 20, 1996 through March 20, 1997 as the statewide trapping season dates for this year. Chairman Carver asked what was the going price for nutria at the end of last year? Mr. Manning stated the western nutria was going for \$4.50 dried and the price for eastern nutria went up to \$2.15. Chairman Carver asked what caused the nutria fur market to collapse? Mr. Manning explained some of the numerous factors, such as consecutive warm winters in Europe, a global recession and the anti-hunters that are opposed to leg hold traps. Chairman Carver asked if there was not a demand for the furs? Commissioner Schneider asked Mr. Manning what happened to the New York brokers, and was he anticipating going through the brokers anymore. Then he asked if both meats and hides would be sold? Mr. Manning explained how another new operation was developed last year that would inspect nutria meat so it could be sold for human consumption. Hearing no further discussion, Chairman Carver asked the pleasure of the Commission. Commissioner Gisclair made a motion to accept the Declaration of Emergency. Commissioner Cormier seconded the motion and it passed with no opposition. *pelts*

(The full text of the Declaration of Emergency is made a part of the record.)

## DECLARATION OF EMERGENCY

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and R.S. 49:967(D) which provides that the Wildlife and Fisheries Commission use emergency procedures to set the 1996-97 fur harvest season statewide from November 20, 1996 through March 20, 1997. Authority to extend or shorten the adopted season by the Secretary is hereby authorized by the Wildlife and Fisheries Commission.

Glynn Carver  
Chairman

A Declaration of Emergency to Delay in Opening Oyster Season in Calcasieu Lake & West Cove was the next item to be discussed. Mr. Ron Dugas stated a request was received from Representative Dan Flavin of the Cameron and Calcasieu area to delay the opening date in his area from October 16 to November 1. This request was on behalf of his constituents. The staff indicated to Representative Flavin that they would not recommend the season be delayed or any other changes be made. Representative Flavin asked this item be placed on the agenda any way to see if any constituents would voice their concerns at the Commission Meeting. Mr. Dugas then stated, after looking at the oysters, it was anticipated there would be an abundance of oysters. The season that was established will allow the fishermen the maximum number of days to fish oysters. Mr. Dugas asked the Commission to maintain the season as it was established. Commissioner Gisclair asked if no action was taken, *would* ~~then~~ the season ~~would~~ remain as set? Commissioner Schneider ~~asked~~ *stated* if no action was taken, then either the Secretary or the Chairman should write a letter to Representative Flavin explaining why no action was taken.

*the* Since no action was taken on the above item, Chairman Carver stated we would taken up the item, **Notice of Intent on the Special Bait Dealer's Permit**. Mr. Brandt Savoie stated representatives ~~from~~ Marine Fisheries and Enforcement Divisions met with bait dealer's in May to discuss this program. One concern was on the amount of dead bait allowed on board a vessel. The rule in effect now said "no dead shrimp" could be on a vessel. The representatives agreed to allow up to two gallons of dead bait on board. Mr. Savoie asked the Commission to adopt the Notice of Intent as suggested. Chairman Carver asked how was two gallons arrived at, ~~and~~ *and* was it a consensus of those that met? Commissioner Hanchey made a motion to accept the Notice of Intent and was seconded by Commissioner Cormier. This motion passed with no opposition.

(The full text of the Notice of Intent is made a part of the record.)

NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the regulations governing the Special Bait Dealer's Permit (LAC 76:VII.329). Authority for adoption of this rule is included in R.S. 56:497(C).

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

§329. Special Bait Dealer's Permit

\* \* \*

C. Operations

\* \* \*

3. No more than two gallons of dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp in excess of two gallons must be immediately returned to the water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:210 (April 1977), amended LR 15:867 (October 1989), LR 19:215 (February 1993), LR 22: .

Interested persons may submit written comments relative to the proposed rule to: Mr. L. Brandt Savoie, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 prior to November 5, 1996.

Glynn Carver  
Chairman

Commissioner Schneider asked that a report on the Cocaho Minnow be presented at the October Commission Meeting.

At this point, Mr. Tommy Prickett asked Mr. Mike Olinde to provide a brief report on the dove (leasing fields) program to the Commissioners. Mr. Olinde stated leasing fields for dove hunting has been going on for three years now. For the last two years, there were five fields leased. This year, a total of 900 acres were leased in East Carroll, Avoyelles, Tangipahoa and West Baton Rouge Parishes. Approximately 600 hunters used these fields and bagged 1,700 birds. Success rates were variable. Chairman Carver asked if this data was last year's or for the past weekend? Mr. Olinde stated it was from the past weekend, but did not include information from the WMA's. The cost of the program for this year was \$5,550 for the leases but the Department only collected \$3,145. Mr. Olinde felt this was a successful project and hoped it would continue.

After several minutes of discussion, the Commissioners agreed to hold the **January 1997 Meeting** on Thursday, January 9, 1997 beginning at 1:00 p.m. in the Baton Rouge office.

Chairman Carver then asked if there were any **Public Comments** and none were heard.

There being no further business, Commissioner Gisclair made a motion to **Adjourn** the meeting and was seconded by Commissioner Cormier.

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James H. Jenkins, Jr.  
Secretary

JHJ:sch

COMMISSION MEETING  
ROLL CALL

Monday, September 9, 1996  
Baton Rouge, LA  
Wildlife & Fisheries Building

	Attended	Absent
Glynn Carver (Chairman)	<u>✓</u>	<u>    </u>
Perry Gisclair	<u>✓</u>	<u>    </u>
Jeff Schneider	<u>✓</u>	<u>    </u>
Daniel Babin	<u>    </u>	<u>✓</u>
Joseph Cormier	<u>✓</u>	<u><del>    </del></u>
Jerald Hanchey	<u>✓</u>	<u>    </u>
Edmund McIlhenny	<u>    </u>	<u>✓</u>

Mr. Chairman:

There are 5 Commissioners in attendance and we have a quorum.  
Secretary Jenkins is also present.

## AGENDA

### LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LA

September 9, 1996

10:00 AM

- ✓1. Roll Call
- ✓2. Approval of Minutes of August 8, 1996
- ✓3. Rule Ratification - Physically Challenged Hunter Program - Tommy Prickett
- ✓4. Establish Disabled Hunter Review Board - Tommy Prickett
- ✓5. Rule Ratification - Waddill Wildlife Refuge - James Manning
- ✓6. Rule Ratification - Timken Wildlife Management Area - James Manning
- ✓7. Declaration of Emergency - Trapping Season Dates - James Manning
- ✓8. Declaration of Emergency - Delay in Opening Oyster Season in Calcasieu Lake & West Cove - Ron Dugas
- ✓9. Notice of Intent - Special Bait Dealer's Permit - Brandt Savoie
- ✓10. Set January 1997 Meeting Date
11. Public Comments
12. Adjourn

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LA

September 9, 1996

10:00 AM

1. Roll Call
2. Approval of Minutes of August 8, 1996
3. Rule Ratification - Physically Challenged Hunter Program  
- Tommy Prickett
4. Establish Disabled Hunter Review Board - Tommy Prickett
5. Rule Ratification - Waddill Wildlife Refuge - James  
Manning
6. Rule Ratification - Timken Wildlife Management Area -  
James Manning
7. Declaration of Emergency - Trapping Season Dates - James  
Manning
8. Declaration of Emergency - Delay in Opening Oyster Season  
in Calcasieu Lake & West Cove - Ron Dugas
9. Notice of Intent - Special Bait Dealer's Permit - Brandt  
Savoie
10. Set January 1997 Meeting Date
11. Public Comments
12. Adjourn

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LA

September 9, 1996

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Manning
6. Rule Ratification - Timken Wildlife Management Area -  
James Manning
7. Declaration of Emergency - Trapping Season Dates - James  
Manning
8. Declaration of Emergency - Delay in Opening Oyster Season  
in Calcasieu Lake & West Cove - Ron Dugas
9. Notice of Intent - Special Bait Dealer's Permit - Brandt  
Savoie
10. Set January 1997 Meeting Date
11. Public Comments
12. Adjourn



## **RULE**

### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission does hereby promulgate rules governing the issuance and methods by which Disabled Hunters Permits will be issued.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part XIX. Hunting**

#### **Chapter 1. Resident Game Hunting Seasons**

#### **§105. Physically Challenged Hunters Permit**

##### **A. Definitions**

Amputee of the Upper Extremity - an individual suffering the loss of at least one arm, hand, or five fingers from one hand.

ATV - a small motorized vehicle designed for off road use, weighing less than 600 pounds, designed for no more than two passengers, with a maximum of six wheels, and tires with a manufacturers recommended air pressure of less than 10 pounds per square inch.

Commission - the Louisiana Wildlife and Fisheries Commission.

Commission Approved Physician - any physician licensed to practice medicine by the Louisiana State Board of Medical Examiners who evaluates permit applicants to determine the Disabled Hunter Rule classification of permanent disability.

Department - the Louisiana Department of Wildlife and Fisheries.

Disabled Hunter Oversight Committee - a committee of five individuals which collectively have final authority to approve or deny, by majority vote, rejected applications for Disabled Hunter Permits. The five members of the committee shall be appointed by the Commission from the Louisiana Outdoorsmen With Disabilities Inc., Louisiana Handicapped Sportsmen, Inc., the Wildlife Division, the Enforcement Division, and the Commission.

Disabled Hunter Review Board - a board of five individuals which collectively review and approve or reject, by majority vote, applications for Disabled Hunter Permits. The Board shall be selected by the Commission with recommendations from: the Louisiana Outdoorsmen With Disabilities Inc. (two recommendations), Louisiana Handicapped Sportsmen, Inc. (two recommendations), and the Louisiana Department of Health and Hospitals (one recommendation).

Disabled Hunter Permit - a permit issued by the Department of Wildlife and Fisheries to qualified disabled individuals.

Enforcement Division - the Enforcement Division of the Louisiana Department of Wildlife and Fisheries.

Handicap ATV Permit - a permit issued by the Wildlife Division to certain disabled hunters to allow access to the specially designated handicapped ATV trails on Wildlife Management Areas.

Helper - an individual who accompanies a permitted disabled hunter to assist the disabled hunter in accessing a hunting area, carrying hunting gear, and retrieving harvested game.

Mobility Impaired - a permanent disability caused by injury, illness, or birth defect that prevents an individual from walking farther than very short distances (less than 150 yards) even with the help of mechanical aids.

Permanent Disability - a qualifying disability that a Commission Approved Physician, the Disabled Hunter Review Board, and the Wildlife Division or the Disabled Hunter Oversight Committee have determined will not improve over time or with medical treatment.

Special Deer Season - a special deer season only for individuals with valid Disabled Hunter Permits established by the Louisiana Wildlife and Fisheries Commission.

Special Handicapped Hunt - special hunt or hunts on certain W.M.A.s only for individuals with valid Disabled Hunter Permits.

Wheelchair Bound - a permanent disability that prohibits mobility by any means other than a wheelchair.

Wildlife Division - the Wildlife Division of the Louisiana Department of Wildlife and Fisheries.

W.M.A. - a tract of land managed by the Louisiana Department of Wildlife and Fisheries and proclaimed as a Wildlife Management Area by the governor of Louisiana.

B. Wheelchair Bound

1. Qualifications

a. Permanent Disability. The disability must permanently confine the applicant to the use of a wheelchair. If the Applicant may eventually recover enough to not require the use

of a wheelchair, he or she does not qualify for this class permit. If the future prognosis is uncertain, the applicant does not qualify at this time.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled and confined to a wheelchair by:

- (a) a Commission Approved Physician;
- (b) the Disabled Hunter Review Board; and
- (c) the Wildlife Division.

ii. Should the Commission Approved Physician determine the applicant is not permanently confined to a wheelchair for medical reasons, the application is rejected and no permit shall be issued. If approved by the physician, the application must then be approved by the Wildlife Division and The Disabled Hunter Review Board. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the confined to a wheelchair criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not be issued permits.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons

i. May participate in special statewide handicapped hunts.

ii. May take either-sex deer on private lands statewide during the entire gun deer season and during the muzzle loader season. This provision does not include W.M.A.'s, National Wildlife Refuges, Kisatchie National Forest, or other federal properties.

c. Crossbow. May use a crossbow to archery hunt during the statewide archery season.

d. Access To Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails on W.M.A.s.

e. Hunting From Vehicles. May hunt resident game from a stationary vehicle or stationary boat statewide, provided that this activity does not violate state or parish laws.

f. Helpers. Permittee may be accompanied by helpers as necessary to get to and from a hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit

is non-transferable and is valid for named permittee only.

b. Permit in Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See B.2.f.)

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specifically designated on W.M.A. maps.

ii. Approved individuals (Permittees & Helpers) may drive the ATV to a stand within 100 yards of an ATV trail. The ATV may also be used to retrieve the permittees harvested deer. Travel on an ATV beyond 100 yards of the designated trail, except to retrieve a deer, is prohibited.

iii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on or within 100 yards of handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a

particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation

i. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division. If said change is sufficient to make the permanent use of a wheelchair unnecessary, the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative actions.

h. Cost

i. None

C. Mobility Impaired

1. Qualifications

a. Permanent Disability

i. The disability must be permanent and impair the applicant sufficiently to preclude walking farther than very short distances (less than 150 yards) even with mechanical aids. If the applicant may eventually recover, he or she does not qualify. If the future prognosis is uncertain, the applicant does not qualify at this time.

ii. Qualifying disabilities under this class may include, but are not limited to:

(a) Permanent and continual use of artificial limbs, crutches, leg braces, or canes due to injury, disease, or birth defect.

(b) Defects of circulatory system, respiratory system, skeletal structure, or neurological disorders caused by disease, injury, or birth defect.

iii. Non-Qualifying disabilities may include, but are not limited to:

(a) Vision impairment;

(b) Arm, hand, shoulder, or other impairments that do not affect walking;

(c) Any impairment considered to be a part of or resulting from the normal aging process;

(d) Any impairment resulting from or due to a lack of physical conditioning.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled and mobility impaired by:

(a) a Commission Approved Physician;

(b) the Disabled Hunter Review Board; and

(c) the Wildlife Division.

ii. Should the Commission Approved Physician determine the applicant is not permanently mobility impaired, the application is rejected and no permit shall be issued. If approved by the physician, the application must then be approved by the



Disabled Hunter Review Board and the Wildlife Division. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the mobility impaired criterion shall not qualify for the class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not be issued permits.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons. May participate in special statewide handicapped hunts.

c. Access To Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails on W.M.A.s.

d. Helpers. Permittee may be accompanied by helpers as necessary to get to and from the hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

### 3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

#### b. Permit In Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See C.2.d.)

#### d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specially designated on W.M.A. maps.

ii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

#### f. Revocation

i. Any violation of the permit conditions by

the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of the permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division. If said change is sufficient to enable the permittee to walk more than 150 yards, the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative action.

h. Cost

i. None

D. Amputee of the Upper Extremity

1. Qualifications

a. Permanent Disability. The applicant must have an amputation of at least one arm, hand, or all five fingers of one hand to qualify for a permit of this class.

b. Certification By Commission Approved Physician

i. Applicants must be certified permanently disabled as an amputee of the upper extremity by a Commission Approved Physician.

ii. Should the Commission Approved Physician determine the applicant is not an amputee of the upper extremity, the application shall be rejected. If approved by the physician, the application must then be approved by the Disabled Hunter Review

Board and the Wildlife Division. Should either reject the application, it shall be forwarded to the Disabled Hunter Oversight Committee which shall make the final determination to approve or reject the application.

c. Disqualification

i. Applicants not disabled sufficiently to meet the amputee of the upper extremity criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or Class II or above wildlife convictions, as determined by the Enforcement Division, shall not qualify for this permit.

2. Approved Applicants Receive the Following Considerations

a. Special Handicapped Hunts. May participate in special W.M.A. hunts.

b. Special Deer Seasons. May participate in special statewide handicapped hunts.

c. Access to Wildlife Management Areas. Upon request, permittees of this class shall receive a Handicap ATV permit/sticker for access to specially designated ATV trails of W.M.A.s.

d. Crossbow. May use a crossbow to archery hunt during the statewide archery season.

e. Helpers. Permittee may be accompanied by helpers as necessary to get to and from the hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a Helper unless the

weapon is legal for the game hunted and the season is open to all licensed hunters in the area the Helper is hunting.

3. Conditions of Approval

a. Non-Transferable. The Disabled Hunter Permit is non-transferable and is valid for named permittee only.

b. Permit In Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of picture identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying handicapped hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or W.M.A. regulations. (See D.2.d.)

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and handicapped ATV trails as specially designated on W.M.A. maps.

ii. Permittee may not transport other non-disabled hunters or their harvested game, firearms/bows/crossbows or other equipment while on handicapped ATV trails.

e. Other Licenses Required. The issuance of a Disabled Hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the Permittees possession while hunting.

f. Revocation. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the Department.

ii. The Department shall retain the right to change the duration and/or conditions of the Disabled Hunter Permits to comply with future Commission or Legislative action.

h. Cost

i. None

AUTHORITY NOTE: Promulgated in accordance with Act 1226 of the 1995 Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 22:

Glynn Carver

Chairman

**RESOLUTION**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**DISABLED HUNTER REVIEW BOARD**  
**DISABLED HUNTER OVERSIGHT COMMITTEE**

WHEREAS, The Louisiana Wildlife and Fisheries Commission, in accordance with the provisions of Act 1226 of the 1995 Legislature, has promulgated rules for issuing three classes of disabled hunter permits, and

WHEREAS, The rules require that each application be approved by the Disabled Hunter Review Board before being issued, and

WHEREAS, The Disabled Hunter Review Board shall consist of five members to be selected by the Commission with recommendations from the Louisiana Outdoorsmen With Disabilities Inc. (two recommendations), Louisiana Handicapped Sportsmen, Inc. (two recommendations), and the Louisiana Department of Health and Hospitals (one recommendation), and


WHEREAS, The rules also require that each application that is rejected during the review process shall be forwarded to a Disabled Hunter Oversight Committee for final determination, and

WHEREAS, This committee shall consist of five members selected by the Commission with recommendations from The Louisiana Outdoorsmen With Disabilities Inc., the Louisiana Handicapped Sportsmen, Inc., the Wildlife Division, the Enforcement Division, and the Commission, and

WHEREAS, These recommendations have been received by the Commission.

THEREFORE, BE IT RESOLVED that Mr. Carl F. Plaisance, Ms. Jeannie I. Williamson, Mr. Timothy B. Guillory, Mr. Wayne Blackwell, and Mr. David Moreland are appointed to the Disabled Hunter Review Board.

BE IT FURTHER RESOLVED, That Mr. Glynn Carver, Mr. Winton Vidrine, Mr. Thomas Prickett, Mr. Gary M. Carpenter, and Mr. Fleming J. Trosclair, Jr. are appointed to the Disabled Hunter Oversight Committee.

  
Glynn Carver  
Chairman

  
James H. Jenkins, Jr.  
Secretary

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Glynn Carver  
Chairman

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James H. Jenkins, Jr.  
Secretary



## **RULE**

### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

The Wildlife and Fisheries Commission hereby adopts a rule establishing visitor regulations for Timken Wildlife Management Area.

#### **Title 76**

#### **WILDLIFE AND FISHERIES**

#### **Part III. State Game and Fish Preserves and Sanctuaries**

#### **Chapter 3. Particular Game and Fish Preserves and Commissions**

#### **§327. Timken Wildlife Management Area**

##### **A. Visitors Regulations**

1. Morning hunting only on all game (closed 12 noon). All nighttime activities prohibited (including frogging) from 30 minutes after official sunset to one and one-half hours before sunrise.

2. Basic resident and non-resident hunting licenses will serve as season permits on Timken Wildlife Management Area (hereinafter "Timken"). If daily permits are required, they may be obtained from permit stations located on or near Timken. Hunters must check out daily one-half hour after the end of the legal shooting hours.

3. All hunting seasons are set by the Louisiana Wildlife and Fisheries Commission and seasons may be altered or closed anytime by the department in emergency situations (floods, disease outbreaks or other critical circumstances).

4. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not

allowed in boats under motor power on Timken. Firearms may not be carried on any area before or after permitted hours. Bows and arrows are not permitted on Timken except during regular archery season or except as permitted for bowfishing. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists. Loaded firearms are not permitted near check stations or headquarters facility. Target shooting and other forms of practice shooting are prohibited on Timken.

5. Construction of and hunting from permanent blinds on Timken is prohibited. Any permanent stand or permanent blind will be destroyed. A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily. All waterfowl hunters must dismantle blinds and remove decoys within 30 minutes after close of shooting hours. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries (hereinafter "Department") and disposed of by the Department.

6. Except for bird hunting, duck hunting, and rabbit hunting when allowed, having or using dogs on Timken is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on Timken during experimental rabbit season.

7. Commercial fishing is prohibited.

8. Recreational Fishing

a. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season 25 pounds per boat per day (heads on) shall be permitted. Size count to conform with open season requirements. During the inside closed season 10 pounds per boat per day, heads on may be taken for bait.

b. Oysters may be taken from natural reefs and opened at the site. A maximum of one gallon per boat is permitted and all shell must be thrown back onto the reef. Possession of unshucked oysters is not permitted. Taking of oysters on the reef is dependent upon Department of Health and Hospitals' approval and may be closed at any time by the Department.

c. Fish may be taken by rod and reel or hand lines for recreational purposes only.

d. Crabs may be taken through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs are allowed per boat or vehicle per day.

e. Crawfish may be harvested in unrestricted portions of the wildlife management area and shall be limited to 100 pounds per boat or group. Fishing gear used to catch crawfish shall not remain set overnight.

f. The harvest of all fish, shrimp, oysters, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

9. Boats powered by internal combustion engines having horsepower ratings above 25 H.P. are permitted only in oil company

access canals. Operation of the above described internal combustion engines in interior ditches are prohibited.

10. Pulling boats over levees, dams, or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited.

11. The use of airboats, aircraft, hover craft, all-terrain vehicles and all-terrain cycles and motorcycles are prohibited except as specifically authorized by Department personnel.

12. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited. Possession of controlled dangerous substances (drugs) onto the wildlife management area is prohibited. All boats and vehicles are subject to search by authorized employees of the Department at anytime.

13. Trapping is allowed only by written agreement with the Department.

14. Burning of the marshes is prohibited. Water control structures are not to be tampered with or altered by anyone other than employees of the Department at anytime. Damage to or removal of trees, shrubs and wild plants on Timken without prior approval is prohibited.

15. No littering allowed.

16. Violation of any part of this section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et

seq. and 56:109.

HISTORICAL NOTE: Promulgated by the Department of Wildlife  
and Fisheries, Wildlife and Fisheries Commission, LR 22: .

Glynn Carver

Chairman

## DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and R.S. 49:967(D) which provides that the Wildlife and Fisheries Commission use emergency procedures to set the 1996-97 fur harvest season statewide from November 20, 1996 through March 20, 1997. Authority to extend or shorten the adopted season by the Secretary is hereby authorized by the Wildlife and Fisheries Commission.

Glynn Carver

Chairman

**LOUISIANA HOUSE OF REPRESENTATIVES**



**GINGER GOMEZ**  
**Legislative Assistant to**  
**Representative Dan Flavin**  
**District 36**

Hi Susan,

Please put a copy of this letter in each Commissioner's file like you always do for me.

Thanks again for your help

Ginger



STATE OF LOUISIANA  
HOUSE OF REPRESENTATIVES

DANIEL T. "DAN" FLAVIN  
District 36

August 16, 1996

4320 Lake Street  
P.O. Box 6027  
Lake Charles, Louisiana 70606  
Telephone: (318) 477-1334  
Fax: (318) 477-1336

437 Marshall Street  
Cameron, Louisiana 70631

Commerce  
Natural Resources  
Retirement

Mr. James H. Jenkins, Jr., Secretary  
Department of Wildlife & Fisheries  
P. O. Box 98000  
Baton Rouge, La. 70898-9000

Re: Item for Consideration by Wildlife & Fisheries Commission  
Delay in Opening Oyster Season in Calcasieu Lake & West Cove

Dear Mr. Jenkins:

Please accept this letter as my request to have the above-mentioned item added to the agenda for the Wildlife & Fisheries Commission on Thursday, September 5, 1996.

I have been approached by the oyster fishermen in Cameron Parish asking that the start of oyster season be delayed until November 1, 1996. This request is being made due to the fact that the oyster size on October 16, 1996 will be smaller thus setting the price lower for the season. If they are given until November 1, 1996 the cooler weather and the water temperature will increase the size of the oysters making the price better for the fishermen.

As you are aware, the oyster fishermen have faced many hardships in the past several years and it is my feeling that this request will be extremely helpful for them.

Any consideration you give to the matter will be greatly appreciated.

With best personal regards,

Sincerely yours,

Dan Flavin

DF/gg

cc: Mr. Glynn Carver, Chairman ✓  
Wildlife & Fisheries Commission

Representative Ken Odinet, District 103



# The Louisiana House of Representatives



*The following document is from:*

## REPRESENTATIVE DAN FLAVIN

Date: 8/16/96 Time: \_\_\_\_\_

Sent by: Rep. Dan Flavin

Number of pages including cover: 2

**IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CONTACT**

Senex AT 477-1334. Thank you!

**Remarks:**

To: Mr. Glyn Carro (504) 765-2607  
Cc: Susan Shurkins



STATE OF LOUISIANA  
HOUSE OF REPRESENTATIVES

DANIEL T. "DAN" FLAVIN  
District 36

August 16, 1996

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With best personal regards,

Sincerely yours,

A handwritten signature in black ink, appearing to read "Dan Flavin".

Dan Flavin

DF/gg

cc: Mr. Glynn Carver, Chairman  
Wildlife & Fisheries Commission

Representative Ken Odinet, District 103

## NOTICE OF INTENT

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the regulations governing the Special Bait Dealer's Permit (LAC 76:VII.329). Authority for adoption of this rule is included in R.S. 56:497(C).

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 3. Saltwater Sport and Commercial Fishing

#### §329. Special Bait Dealer's Permit

\* \* \*

#### C. Operations

\* \* \*

3. No more than two gallons of dead shrimp may be aboard the vessel while it is operating under the permit. All dead shrimp in excess of two gallons must be immediately returned to the water. Shrimp dying in onshore holding facilities may be sold for bait use only, in lots not to exceed 16 ounces in weight.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:210 (April 1977), amended LR 15:867 (October 1989), LR 19:215 (February 1993), LR 22: .

Interested persons may submit written comments relative to the proposed rule to: Mr. L. Brandt Savoie, Marine Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 prior to November 5, 1996.

Glynn Carver

Chairman

## Opening Weekend Of Dove Season Lease Synopsis

### Leased Fields

The department leased 5 fields (the same as than last year) totaling 923 acres (about 70 acres less than last year). Fields were located near Epps (1), Marksville (1), and Erwinville (1) and Wilmer (2). Hunts were again very well received by the public and participation was high at all the sites. Although few doves were taken at some fields, hunters were greatly appreciative of the opportunity to hunt doves and encouraged the continuance of the leasing program. The cost of the leases totaled \$5,550 and \$3,145 were collected.

<u>Location</u>	<u>Size</u>	<u>Hunters</u>	<u>Bag</u>
Avoyelles	116 acres	91	23
East Carroll	240 acres	79	225
Tangipohoa	56 acres	40	35
Tangipohoa	322 acres	216	868
West Baton Rouge	189 acres	204	568

The percent of hunters 15 or younger was not kept at most fields. The East Carroll field averaged about 25% youth. Last year the range was estimated at 10-40%.

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1997		January			1997	
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 <i>Holiday</i>	2	3	4
5	6	7	8	9 ✓ <i>1PM</i>	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SCHEDULE FOR FINAL RULES TO BE PUBLISHED IN STATE REGISTER

SEPT-96	RULE - Physically Challenged Hunter Permits
	RULE - Timken Wildlife Management Area
	RULE - Waddill Wildlife Refuge
OCT-96	RULE - Recreational Harvest for Southern Flounder
NOV-96	RULE - 1997 Spring Turkey Season
	RULE - Lake Louis Commercial Fish Seines



LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
CIVIL RESTITUTION ACTIVITY REPORT

DATE: 3-SEP-1996

CURRENT MONTH 08/01/1996 TO 08/31/1996 FISCAL YEAR TO DATE 07/01/1996 TO 08/31/1996 INCEPTION TO DATE 08/31/1996

ORIG RESTITUTION VALUES ENTERED  
HEARING COSTS ASSESSED  
SALE OF CONFISCATED COMMODS  
SALES EXCEEDING RESTITUTION

# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
32	\$5,362.64	72	\$77,256.77	3,130	\$2,152,751.03
0	\$0.00	0	\$0.00	69	\$1,725.00
0	\$0.00	0	\$0.00	331	\$269,865.45
0	\$0.00	0	\$0.00	148	\$71,951.21

## RESTITUTION ASSESSED

32	\$5,362.64	72	\$77,256.77	3,130	\$1,956,561.79
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 PAYMENTS  
 DISCOUNTS FOR TIMELY PAYMENTS  
 OVERPAYMENTS  
 REFUND OF OVERPAYMENT  
 APPLIED CONFISCATED COMMODS  
 APPLIED EXCEEDING BALANCE DUE  
 REFUND OF CONFISCATED COMMOD.  
 RETURNED CHECKS  
 MISC. ADJUSTMENTS  
 DEBITS  
 CREDITS  
 REASSESSMENTS  
 DEBITS  
 CREDITS  
 WRITE-OFFS  
 ASSESSMENTS WITHDRAWN  
 FOUND NOT RESPONSIBLE  
 CASES VOIDED BY ENFORCEMENT

32	\$6,254.59	64	\$11,504.52	1,984	\$297,220.18
29	\$3,783.69	54	\$6,731.65	1,305	\$146,328.92
3	\$25.29	5	\$35.87	77	\$1,519.53
1	\$25.20	2	\$35.77	33	\$7,061.20
0	\$0.00	0	\$0.00	4	\$18,449.45
0	\$0.00	0	\$0.00	4	\$10,601.49
1	\$515.60	1	\$515.60	17	\$75,953.27
0	\$0.00	0	\$0.00	1	\$36.75
0	\$0.00	0	\$0.00	2	\$35.00
0	\$0.00	0	\$0.00	12	\$9.37
0	\$0.00	1	\$13.20	16	\$5,913.25
1	\$13,757.25	2	\$13,777.79	45	\$26,515.71
2	\$550.34	2	\$550.34	204	\$259,535.53
0	\$0.00	0	\$0.00	6	\$1,399.24
3	\$293.40	3	\$293.40	15	\$20,056.34
0	\$0.00	0	\$0.00	2	\$97.80

## \*\* TOTAL OUTSTANDING

905 \$1,288,069.74

## FOOTNOTE:

 PAYMENTS FROM COLLECTION EFFORT  
 AMOUNT PAID TO COLLECTOR  
 FORFEIT OF CONFISCATED COMMODS

1	\$20.00	2	\$40.00	48	\$10,880.67
0	\$5.00	0	\$10.00	0	\$2,720.16
0	\$0.00	0	\$0.00	0	\$0.00 *

## AGING OF SALE OF CONFISCATED COMMODITIES

## AGING OF OUTSTANDING CASES

## VIOLATION DATE UNKNOWN

0	\$0.00	CAN NOT BE INVOICED	2	\$37.50
---	--------	---------------------	---	---------

1 - 30 DAYS	\$7,252.60	1 - 30 DAYS	30	\$5,174.24
31 - 60 DAYS	\$16,766.85	31 - 60 DAYS	21	\$51,312.77
61 - 90 DAYS	\$58,794.20	61 - 90 DAYS	15	\$11,819.66
91 - 120 DAYS	\$8,459.00	91 - 120 DAYS	12	\$3,960.13
121 - 150 DAYS	\$1,120.10	121 - 150 DAYS	7	\$3,664.77
151 - 180 DAYS	\$8,568.80	151 - 180 DAYS	17	\$20,022.63
181 - 365 DAYS	\$49,606.39	181 - 365 DAYS	118	\$235,650.73
OVER ONE YEAR	\$113,106.41	CASES SENT FOR COLLECTION	12	\$13,307.14
OVER TWO YEARS	\$48,147.07	OVER 1 YEAR PENDING	0	\$0.00
OVER THREE YEARS	\$3,273.95	OVER 1 YEAR (OTHER)	671	\$943,120.17

## \*\* TOTAL AGING

369 \$315,095.37

## \*\* TOTAL AGING

905 \$1,288,069.74

# MONTHLY CIVIL RESTITUTION REPORT

PERIOD	NO. CASES ASSESSED	AMOUNT ASSESSED	CREDIT FOR SALE GOODS	NO. CASES PAID	AMOUNT PAID	DISCOUNTS TAKEN	Percent Dollars Paid	Percent Cases Paid
<u>FISCAL YEAR 1993-94</u>								
July, 1993	25	21,039	(9,778)	29	4,855	2,545		
Aug., 1993	53	44,922	(1,137)	41	7,950	3,603		
Sept., 1993	42	137,635	(17,938)	35	6,783	3,048		
Oct., 1993	49	21,471	(11,282)	40	3,285	1,519		
Nov., 1993	57	31,207	(13,260)	32	3,053	2,845		
Dec., 1993	53	13,777		27	6,507	6,713		
Jan., 1994	38	18,918		32	4,423	2,831		
Feb., 1994	68	38,131	(8,238)	46	9,124	5,993		
Mar., 1994	38	22,739	(2,482)	51	10,854	6,796		
April, 1994	14	44,732	(1,404)	27	7,307	4,632		
May, 1994	10	4,504	(165)	7	5,447	3,808		
June, 1994	29	26,167	(2,986)	12	1,886	1,214		
Total FY 1994	476	425,242	(68,670)	379	71,474	45,547	27.5%	79.6%
<u>FISCAL YEAR 1994-95</u>								
July, 1994	17	2,127	(335)	23	2,101	1,437		
Aug., 1994	41	96,403	(3,035)	20	1,010	605		
Sept., 1994	34	14,614	(14,002)	26	2,596	2,342		
Oct., 1994	94	17,426	(8,677)	38	2,922	3,179		
Nov., 1994	43	103,592		45	3,992	2,803		
Dec., 1994	68	31,400		35	4,315	2,329		
Jan., 1995	55	27,601		52	7,493	4,921		
Feb., 1995	70	61,119		41	6,472	3,973		
Mar., 1995	31	25,072		44	8,315	4,737		
Apr., 1995	13	15,353		16	3,565	1,538		
May., 1995	23	11,632		16	4,315	654		
June 1995	45	31,008		18	2,630	1,025		
Total FY 1995	534	437,347	(26,049)	374	49,726	29,543	18.1%	70.0%
<u>FICAL YEAR 1995-96</u>								
July, 1995	0	0						
Aug., 1995	46	17,425		27	9,028	1,729		
Sept., 1995	1	125		21	3,093	2,049		
Oct., 1995	122	206,244		29	2,720	1,161		
Nov., 1995	55	23,124		62	10,151	6,383		
Dec., 1995	50	18,607		32	4,781	2,803		
Jan., 1996	49	13,815	(15,296)	36	5,297	3,473		
Feb., 1996	50	14,717		38	5,778	3,417		
Mar., 1996	33	24,937		36	6,035	3,422		
Apr., 1996	30	11,007		36	7,173	2,712		
May., 1996	23	7,989		24	3,942	2,020		
June 1996	50	22,151		16	2,790	1,182		
Total FY 1996	509	360,141	(15,296)	357	60,787	30,350	25.3%	70.1%
<u>FICAL YEAR 1995-96</u>								
July, 1996	40	71,894		32	5,250	2,948		
Aug., 1996	32	5,363		32	6,255	3,784		
Sept., 1996								
Oct., 1996								
Nov., 1996								
Dec., 1996								
Jan., 1997								
Feb., 1997								
Mar., 1997								
Apr., 1997								
May., 1997								
June 1997								
Total FY 1997	72	77,257	0	64	11,505	6,732	23.6%	88.9%

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

**James H. Jenkins Jr.**  
**Secretary**



**CONTACT**  
**504/765-2923**

96-208

9/6/96

### SEPTEMBER WILDLIFE & FISHERIES COMMISSION MEETING RE-SET

The Louisiana Wildlife and Fisheries Commission re-scheduled its September meeting for Monday, Sept. 9, 1996, at 10 a.m. The meeting will convene in the Louisiana Room of Wildlife and Fisheries headquarters, 2000 Quail Dr., Baton Rouge.

The Commission meeting was re-scheduled from Sept. 5. It is open to the public. The agenda follows.

1. Roll call.
2. Approval of minutes of Aug. 8, 1996.
3. Ratification: physically challenged hunter program.
4. Establishment of disabled hunter review board.
5. Ratification: Waddill Wildlife Refuge.
6. Ratification: Timken Wildlife Management Area.
7. Declaration of Emergency: trapping season dates.
8. Declaration of Emergency: delay in opening oyster season in Calcasieu Lake and West Cove.
9. Notice of Intent: special bait dealer's permit.
10. Set January 1997 meeting date.
11. Public comments.
12. Adjourn.

-30-

September 5, 1996

NEWS RELEASE

APPROVED:  1

AGENDA FOR COMMISSION MEETING

The next regular public board meeting has been re-scheduled by the Commission for 10:00 A.M. on Monday, September 9, 1996, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of Minutes of August 8, 1996
3. Rule Ratification - Physically Challenged Hunter Program
4. Establish Disabled Hunter Review Board
5. Rule Ratification - Waddill Wildlife Refuge
6. Rule Ratification - Timken Wildlife Management Area
7. Declaration of Emergency - Trapping Season Dates
8. Declaration of Emergency - Delay in Opening Oyster Season in Calcasieu Lake & West Cove
9. Notice of Intent - Special Bait Dealer's Permit
10. Set January 1997 Meeting Date
11. Public Comments
12. Adjourn

COMMISSION MEETING  
ROLL CALL

Thursday, September 5, 1996  
Baton Rouge, LA  
Wildlife & Fisheries Building

	Attended	Absent
Glynn Carver (Chairman)	<u>✓</u>	<u>  </u>
Perry Gisclair	<u>  </u>	<u>✓</u>
Jeff Schneider	<u>✓</u>	<u>  </u>
Daniel Babin	<u>✓</u>	<u>  </u>
Joseph Cormier	<u>  </u>	<u>✓</u>
Jerald Hanchey	<u>  </u>	<u>✓</u>
Edmund McIlhenny	<u>  </u>	<u>✓</u>

Mr. Chairman:

There are 3 Commissioners in attendance and we <sup>do not</sup> have a quorum.  
Secretary Jenkins is also present.

## AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
September 5, 1996  
10:00 AM

- ☒ 1. Roll Call
- Mon.* - 2. Approval of Minutes of August 8, 1996
- ☒ 3. Announce Louisiana Outdoor Writers Association Winner of Youth Journalism Contest - Bill Ford
- ☒ 4. Discussion on Water Diversion in the West Pearl River - Jeff Schneider
- ☒ 5. Declaration of Emergency - 1996-97 Waterfowl Hunting Seasons - Dave Morrison
- ☒ 6. Public Comments on 1997 Spring Turkey Hunting Season Proposals
- Mon.* - 7. Rule Ratification - Physically Challenged Hunter Program - Tommy Prickett
- Mon.* - 8. Establish Disabled Hunter Review Board - Tommy Prickett
- Mon.* - 9. Rule Ratification - Waddill Wildlife Refuge - James Manning
- Mon.* - 10. Rule Ratification - Timken Wildlife Management Area - James Manning
- Mon.* - 11. Declaration of Emergency - Trapping Season Dates - James Manning
- Mon.* - 12. Declaration of Emergency - Delay in Opening Oyster Season in Calcasieu Lake & West Cove - Ron Dugas
- Mon.* - 13. Notice of Intent - Special Bait Dealer's Permit - Brandt Savoie
- ☒ 14. Crab Report - Brandt Savoie
- ☒ 15. Enforcement & Aviation Reports/August - Winton Vidrine
- ☒ 16. Division Reports
- Mon.* - 17. Set January 1997 Meeting Date
18. Public Comments
19. Adjourn

## AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
September 5, 1996  
10:00 AM

1. Roll Call
2. Approval of Minutes of August 8, 1996
3. Announce Louisiana Outdoor Writers Association Winner of Youth Journalism Contest - Bill Ford
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14. Crab Report - Brandt Savoie
15. Enforcement & Aviation Reports/August - Winton Vidrine
16. Division Reports
17. Set January 1997 Meeting Date
18. Public Comments
19. Adjourn

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
September 5, 1996

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, Louisiana, September 5, 1996.

**WHEREAS,** public hearings have been held to discuss the status of waterfowl, including ducks, coots, and geese in Washington D. C., and

**WHEREAS,** the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

**WHEREAS,** rules and regulations governing waterfowl season framework have been developed by the U.S. Fish and Wildlife Service, and

**WHEREAS,** the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for waterfowl including season dates, bag limits and shooting hours, and

**WHEREAS,** it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for waterfowl within the constraints of the U.S. Fish and Wildlife Service framework, now

**THEREFORE, BE IT RESOLVED** that on this date, the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached season dates, bag limits and shooting hours.

---

Glynn Carver, Chairman  
Wildlife and Fisheries Commission

---

James H. Jenkins, Jr., Secretary  
Department of Wildlife and Fisheries



## DECLARATION OF EMERGENCY

### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provision of R.S. 49:953(B) of the Administrative Procedure Act, and under the authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopts the following emergency rule.

The hunting seasons for ducks, coots and geese during the 1996-97 hunting season shall be as follows:

#### Ducks and Coots:

West Zone: November 9 - December 1  
December 21 - January 16

East Zone: November 23 - December 5  
December 14 - January 19

Catahoula Lake Zone: November 23 - December 5  
December 14 - January 19

Daily Bag Limits. The daily bag limit on ducks is 5 and may include no more than 4 mallards (no more than 1 of which may be a female), 3 mottled ducks, 1 black duck, 2 wood ducks, 1 pintail, 1 canvasback and 2 redhead. Daily bag limit on coots is 15.

Mergansers. The daily bag limit for mergansers is 5, only 1 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

Possession Limit. The possession limit on ducks, coots and mergansers is twice the daily bag limit.

GEESE: LIGHT GEESE (SNOW AND BLUE)

STATEWIDE SEASON: November 9 - February 23

Daily bag limit (snow and blue) - 10; Possession limit (snow and blue) - 30

WHITE-FRONTED (SPECKLEBELLIES):

November 9 - December 8

December 21 - January 29

Daily Bag limit (specklebellies) - 2; Possession limit (specklebellies) - 4

During the Canada Goose Season (January 21 - January 29) the daily bag limit for Canada and white-fronted geese is 2, of which not more than 1 can be a Canada goose. Possession limit is twice the daily bag limit.

CANADA GOOSE SEASON: CLOSED IN THE AREA DESCRIBED BELOW

January 21 - January 29

During the Canada Goose Season (January 21 - January 29) the daily bag limit for Canada and white-fronted geese is 2, of which not more than 1 can be a Canada goose. Possession limit is twice the daily bag limit.

The Canada Goose Season will be open statewide except for a portion of southwest Louisiana. The closed area is described as follows: That portion of Cameron and Vermilion parishes from the Texas state line south of Highway 82 to its junction with the Calcasieu Ship Channel, east of the Calcasieu Ship Channel to its junction with the Intracoastal Waterway, south of the Intracoastal Waterway to its junction with Highway 82 at Forked Island, west of Highways 82 and 3147 to the junction of Highway 3147 and Freshwater Bayou. Open waters of Lake Arthur and the Mermentau River from the

Highway 14 bridge southward will also be closed to Canada goose hunting.

A special permit shall be required to participate in the Canada Goose Season. A permit is required of everyone, regardless of age, and a non-refundable \$5 administrative fee will be charged. This permit may be obtained from any District Office.

Return of harvest information requested on permit is mandatory. Failure to submit this information to the Department by February 15, 1997 will result in the hunter not being allowed to participate in the Canada Goose Season the following year.

Shooting Hours: One-half hour before sunrise to sunset.

A Declaration of Emergency is necessary because the U.S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits and shooting hours must be established and presented to the U.S. Fish and Wildlife Service immediately.

The aforementioned season dates, bag limits and shooting hours will become effective November 1, 1996 and extend through sunset on March 10, 1997.

Glynn Carver

Chairman

## **CRAB TASK FORCE**

The Louisiana Crab Task Force began in 1989 when Concerned Crabbers of Louisiana sent a letter to Governor Buddy Roemer requesting that a Crab Task Force be formed to address problems in the industry. The Governor directed Virginia Van Sickle, Secretary of the Louisiana Department of Wildlife and Fisheries (LDWF), to assist the group. The Crab Task Force was never officially reauthorized with changes in Governors, but it has continued to present.

The Crab Task Force is presently made up of:

voting members -- 4 dealer/processors; 2 soft crab shedders; and, 7 hard crab fishermen;  
nonvoting members -- marine biologist, LDWF; LSU fisheries agent; enforcement representative, LDWF; economist, LSU; and, attorney, LSU Sea Grant.

At its inception, the Crab Task Force recognized some of the major problems/issues in the blue crab fishery and has attempted to resolve them:

### **I. Possession of Undersize Crabs**

- ✓A. 1992 - Successfully sponsored legislation to eliminate an undersize crab loophole. To require that peeler crabs held for shedding must be placed in a separate, marked container.
- ✓B. 1995 - Submitted several bills that did not pass:
  - 1. Dual liability for possession of undersize crabs. Provided that both the fishermen and whoever is in possession of the crabs would be in violation of undersize crab laws.
  - 2. Clarification of peeler crab exemption from undersize crab violation. Reworded the exemption for peeler crabs from undersize crab laws in order to close a loophole.
  - 3. Crab strike force. Provided for a special crab harvesters license (\$100), with the money dedicated to an enforcement crab strike force.
- ✓C. 1996 - Is considering legislation that will subject flagrant (i.e., twice the maximum percentage of allowable undersize crabs) offenders to increased penalties.

### **II. Trap and Crab Theft**

- A. 1991 - Recommended a trap marking system to the Wildlife and Fisheries Commission.
- B. 1995 - Submitted legislation that did not pass: crab strike force.
- C. 1996 - Considering legislation that will subject trap and crab theft offenders to increased penalties.

### **III. Limited Entry**

- A. 1990 - Assisted with the commercial fishery-wide limited entry program proposal.
- B. 1995 - Successfully sponsored legislation for a crab trap gear license moratorium. Provided for a license moratorium for crab trap gear licenses -- no one could purchase a crab trap gear license from 1996 to 1998 unless they had purchased one in either 1993, 1994, or 1995.
- C. 1996 - Discussing limited entry in the crab fishery after the 1996-98 license moratorium expires.

Provisions of the proposed limited entry bill include:

- 1. A person issued a trap license must prove that:
  - a) They earned at least 50% of their earned income from sale of commercial fisheries species for two of the four years (1993, 94, 95, or 96).
  - b) They must have held a crab trap gear license for two of the same four years.
- 2. Trap licenses are nontransferable until license numbers are reduced by nonrenewal to a certain number. Fifty percent of retired licenses will be reissued by the LDWF using the lottery system until the desired number is reached.
- 3. After the desired number of trap licenses is reached, then the licenses may be transferred or sold.
- 4. A hardship/review board will be formed.

The Crab Task Force has also discussed trap limits, but has not acted upon it.

Other states have enacted various limited entry programs for the blue crab fishery:

- 1. License moratorium -- Alabama, Delaware, Maryland, North Carolina, New Jersey, Virginia
- 2. Trap limits -- Delaware, Maryland, New Jersey, Texas, Virginia
- 3. Income requirements - Florida

#### IV. Ghost Traps

1995-96 - Senate Concurrent Resolution No. 175 in 1995 directed the Crab and Shrimp Task Forces to jointly discuss "ghost traps," or lost/abandoned crab traps. The Crab Task Force formed a ghost trap committee to discuss ghost traps and ways to reduce their number. The Task Force plans to sponsor legislation or request the Commission to implement some of their recommendations.

*Shrimp TF does not exist anymore*

The following measures have been approved:

1. Use of a nonfloating or weighted buoy line
2. Minimum buoy size of 7 1/2 in. diameter (or equivalent); plastic jugs/bottles not allowed.
3. Minimum buoy line size of 1/4 inch
4. Education pamphlet for recreational boaters.

Other measures that will be discussed include:

1. Dated trap tags - *how long in water*
2. Definition of ghost trap
3. Disposal sites for ghost traps
4. Crab trap weight specifications

#### V. Inadequate Soft Crab Production Data

1996 - Successfully sponsored legislation for a soft crab shedders license. Provided for all soft crab shedders to purchase a shedders license and to report on production.

#### VI. User Group Conflicts

- A. 1992 - Met with the Shrimp Task Force to help resolve shrimper/crabber conflicts in Vermilion Bay.
- B. 1996 - See ghost traps

#### VII. Soft Crab Minimum Size Limit

1992 - Successfully sponsored legislation to repeal the 4.5 inch minimum size law; Louisiana was the only state with soft crab minimum size restrictions.

*Jeff - why would he be proud of that - why not have minimum?*

#### VIII. Crab Gear

1991 - Successfully sponsored legislation to define crab traps, to define legal crab gear, and to exclude the use of crab dredges to harvest crabs.

# **STATUS OF THE LOUISIANA BLUE CRAB FISHERY**

Data and literature presented in this report were largely extracted from a report on the Louisiana blue crab fishery. This report utilized data from other blue crab publications and was presented at a symposium on "The Blue Crab Fisheries of North America" in Baltimore, Maryland in April, 1996.

## **RESOURCE STATUS**

### **Fishery Independent Monitoring**

Blue crab data have been collected from 16-foot trawl samples taken as part of the Marine fisheries Division's Shrimp Monitoring Program which began in 1967. Blue crab catches were summarized from this data set for the 1967-1995 period.

Trawl data basically shows that there has been a significant increase in Catch Per Unit of Effort (CPUE) of small juvenile (<40 mm ) blue crabs (Figure 1) and a significant decrease in CPUE of legal (127 mm and larger) blue crabs (Figure 2).

The upward trend in juvenile blue crab CPUE may be associated with coastal marsh loss and subsidence, which has temporarily increased marsh/water interface, detrital input to the estuarine food web and inundation time of intertidal marshes.

Decreased legal blue crab CPUE in trawl samples may be attributed to increased fishing mortality associated with increased commercial and recreational fishing effort and/or to increased unidentified mortality factors on larger juvenile crabs.

### **Status of the Stock**

Inadequate fishery dependent and population dynamics data preclude a quantitative stock assessment of the Louisiana blue crab fishery. However, the general status of the fishery can be qualitatively characterized.

Trends exhibited by both commercial fishery data and trawl monitoring data are characteristic of a fishery subjected to high levels of fishing effort (i.e., beyond the minimum needed to achieve harvest levels); these include a downward trend in CPUE, increased numbers of gear units, and decreased legal blue crab CPUE in trawl data.

Blue crab biology and data strongly suggest that there is no evidence of a stock-recruitment problem in Louisiana. Some of this evidence includes:

1. Certain life history characteristics of the blue crab are those that tend to be associated with species capable of sustaining relatively liberal harvests. These traits include: high fecundity, rapid growth, early attainment of reproductive maturity, high interannual variability in abundance. There is strong evidence that blue crab abundance is influenced by environmental conditions (i.e. salinity, water temperature, etc.), which results in significant variabilities in annual abundance.
2. There has been an upward trend in small juvenile blue crabs in 16-foot trawl samples over the 1967-1995 period.
3. There is a high abundance of larval megalopae in northern Gulf of Mexico estuaries. There were 10-100 times more megalopae were collected in the northern Gulf of Mexico than along the Atlantic Coast during megalopal recruitment surveys.

Blue crab populations in the Gulf of Mexico are apparently limited by processes that affect juveniles, not the availability of larvae.

Several factors may have contributed to the long term decline in commercial CPUE and declining landings during 1993, 1994, and 1995, such as:

1. Long-term declines in commercial CPUE typically occur as fishing effort increases.
2. Blue crab populations are cyclic and the Louisiana blue crab population is apparently in a low phase of abundance. Data on commercial CPUE (this report) show that peaks are often followed by three or four years of consecutively declining CPUE.

## **FISHERY STATUS**

### **Soft Crab Commercial Fishery Participants**

Estimates of the number of soft crab operators range from 425 in 1985 to 228-300 in 1991. In 1995, a shedders license was required; 152 licenses have been sold.

According to surveys of the fishery prior to the new shedders license/reporting requirements, soft crab production may have been underestimated by a factor of 15 to 19 because of the many small "mom and pop" operations that marketed product directly to consumers or restaurants.



## Hard Crab Commercial Fishery Participants

The number of LDWF crab trap gear licenses increased dramatically during the 1980s until a peak of 3019 was reached in 1989, decreased slightly and stabilized (2503-2807) from 1990-1994, and then again increased sharply to 3482 in 1995 (Figure 3).

The dramatic increase in 1995 trap licenses was attributed to increased gear license sales associated with a new legislative statute that established eligibility criteria (i.e., purchase of the same license during either 1993, 1994, or 1995) for a 1996-1998 crab trap gear license moratorium. Many fishermen apparently purchased licenses merely to meet eligibility requirements; a total of 1368 trap licenses were purchased in 1995 by fishermen who did not have a license in either 1993 or 1994.

The number of traps per fisherman has also increased historically (Figure 4). The number of overall traps in the fishery has dramatically increased from approximately 140,000 in 1980 to over 600,000 after 1987. [ number of traps=gear licenses X avg. trap estimates (NMFS - 1978-88)]

*1995- crab trap license moratorium*

## Soft Crab Production

Production was low during the early 1980s, but then increased with the development and widespread adoption of closed-recirculating shedding systems and promotional efforts. Soft crab production ranged from 200,000 to 249,000 pounds in the early 1990s, and then declined to approximately 100,000 pounds or less after 1992 (Figure 5).

Lowered production in 1993, 1994, and 1995 was probably associated with the low abundance of crabs and, consequently availability of buster crabs to shed.

## Hard Crab Production

Annual landings increased dramatically in the mid-1980s, with five successive harvest records set in the late 1980s. Landings declined from over 50 million pounds in 1991 and 1992, to approximately 45, 37, and 36 million pounds the last three years (Figure 6). After 1986 only 1989 annual landings were below the 1981-95 mean of 33 million pounds.

The dramatic 1980s increases were largely attributed to increased numbers of fishermen and traps per fishermen.

Annual catch per licensed fisherman for the 1978-1995 period (Figure 7) displayed a significant downward trend, although there appeared to be a cyclic pattern.

*Catching fewer pounds / trap.*

FIGURE 1. CATCH PER SAMPLE OF SMALL JUVENILE (<40 MM)  
CRABS IN TRAWL SAMPLES

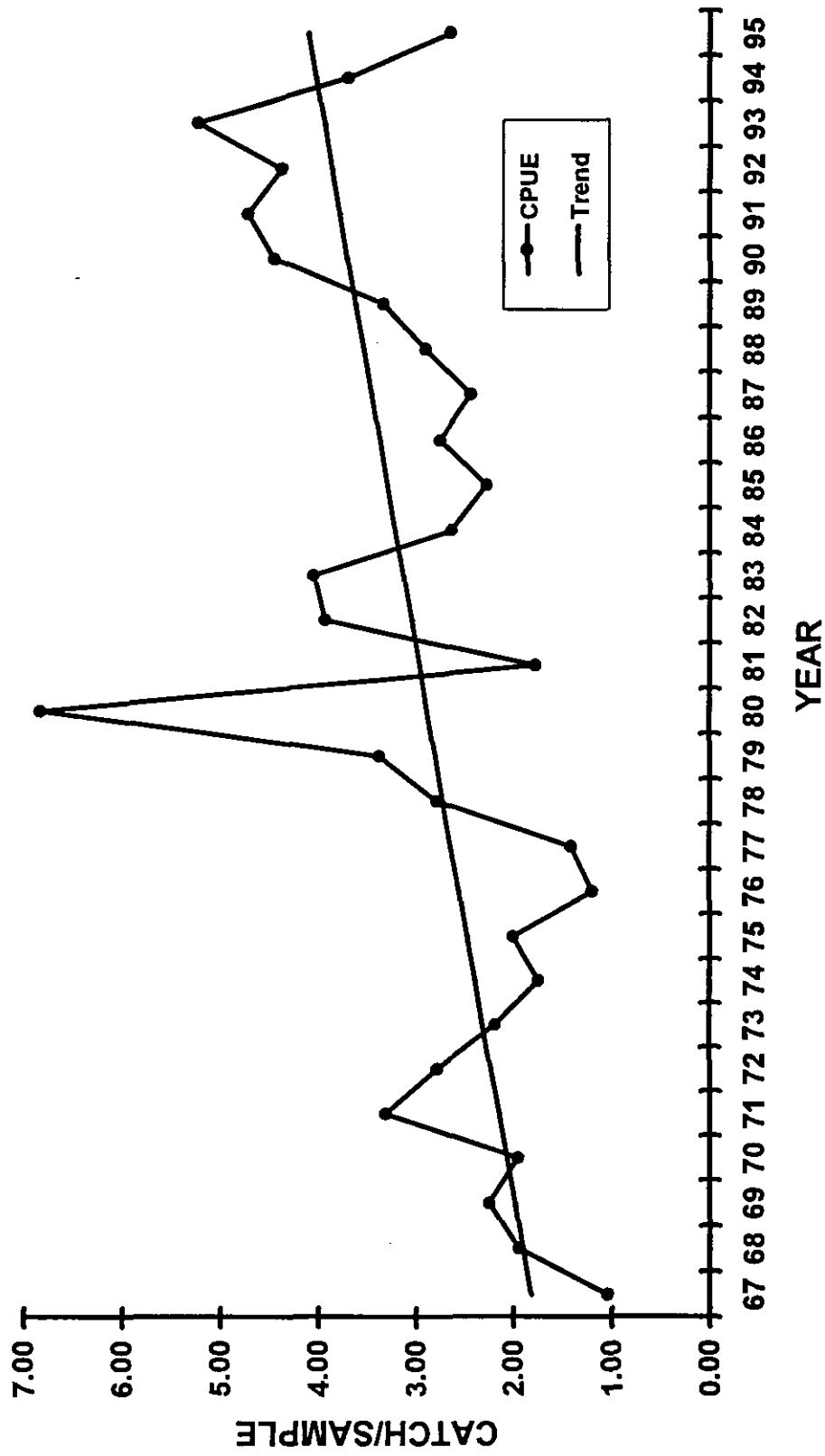


FIGURE 2. CATCH PER SAMPLE OF LEGAL CRABS IN TRAWL  
SAMPLES

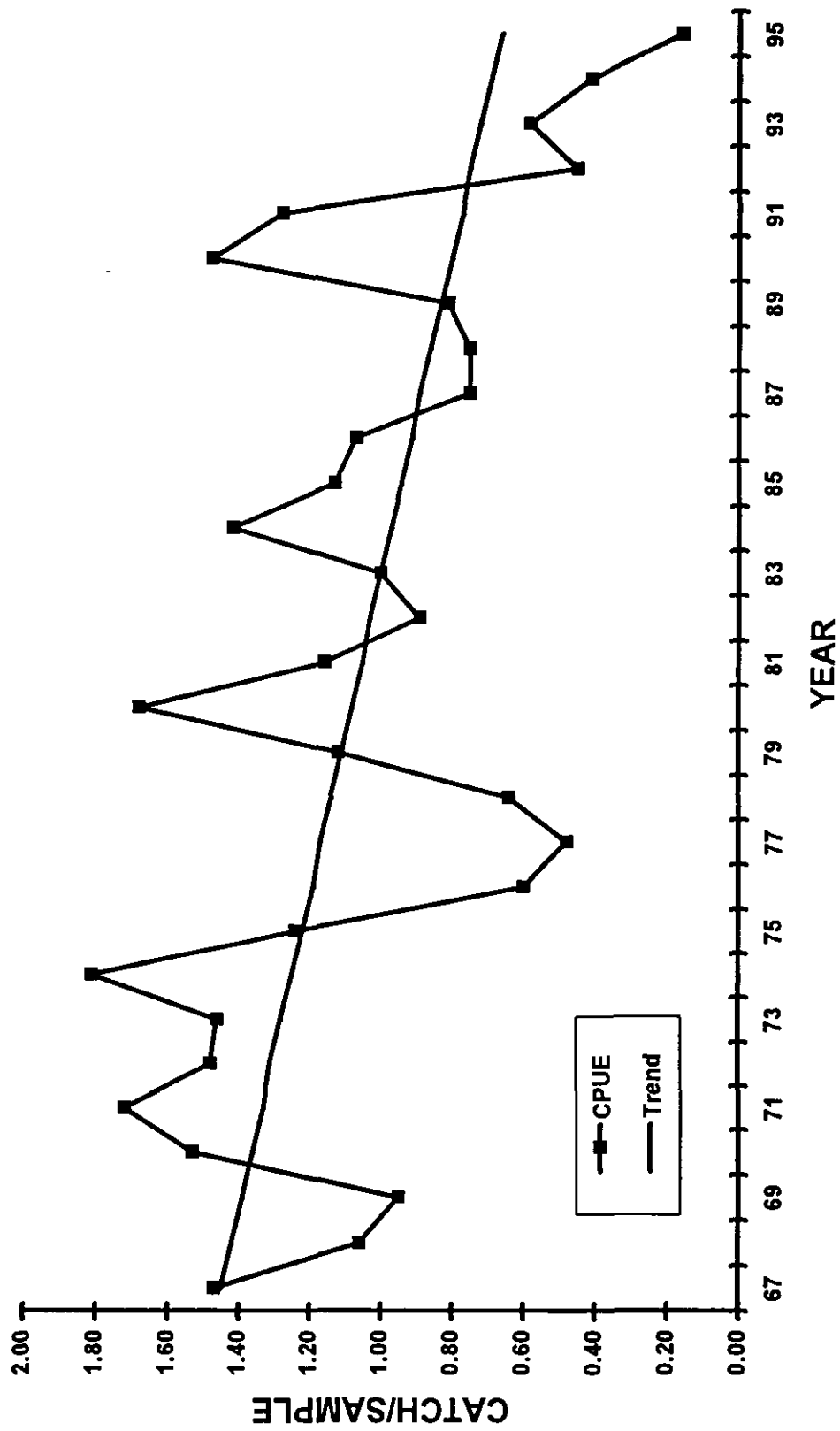


FIGURE 3. NUMBER OF CRAB TRAP GEAR LICENSES

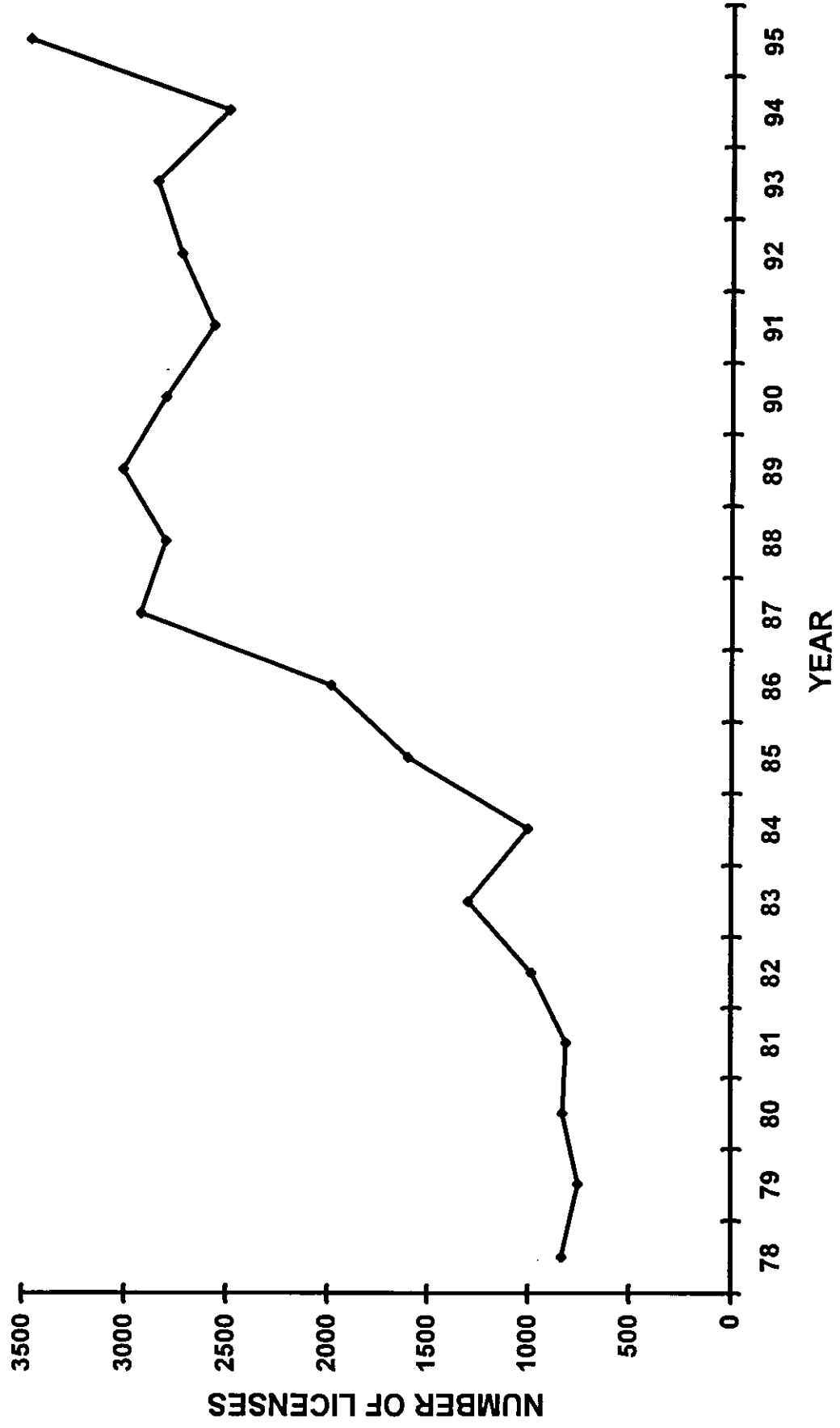


FIGURE 4. AVERAGE NUMBER OF TRAPS PER FISHERMEN

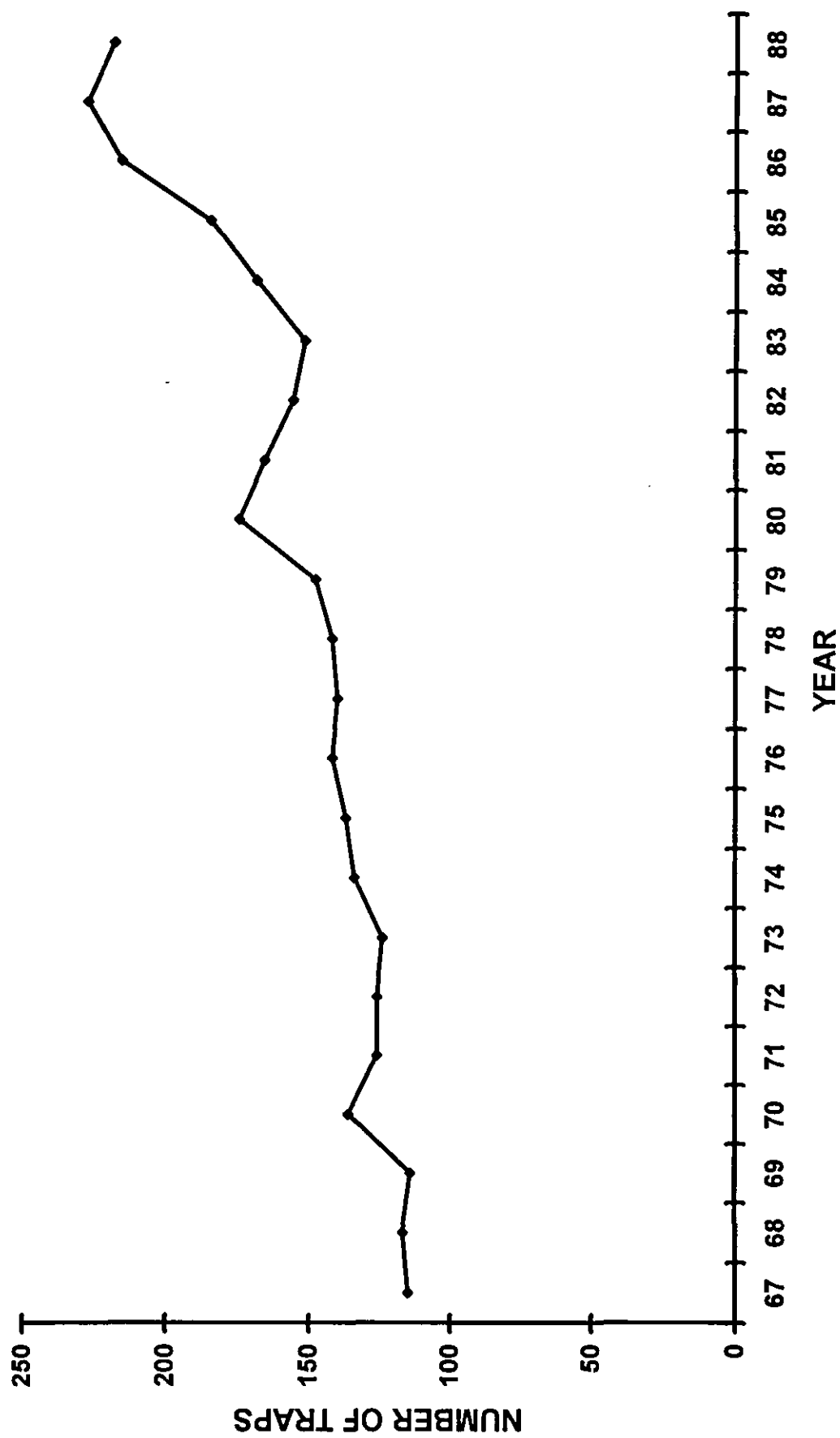


FIGURE 5. ANNUAL SOFT CRAB LANDINGS AND 15 YEAR MEAN

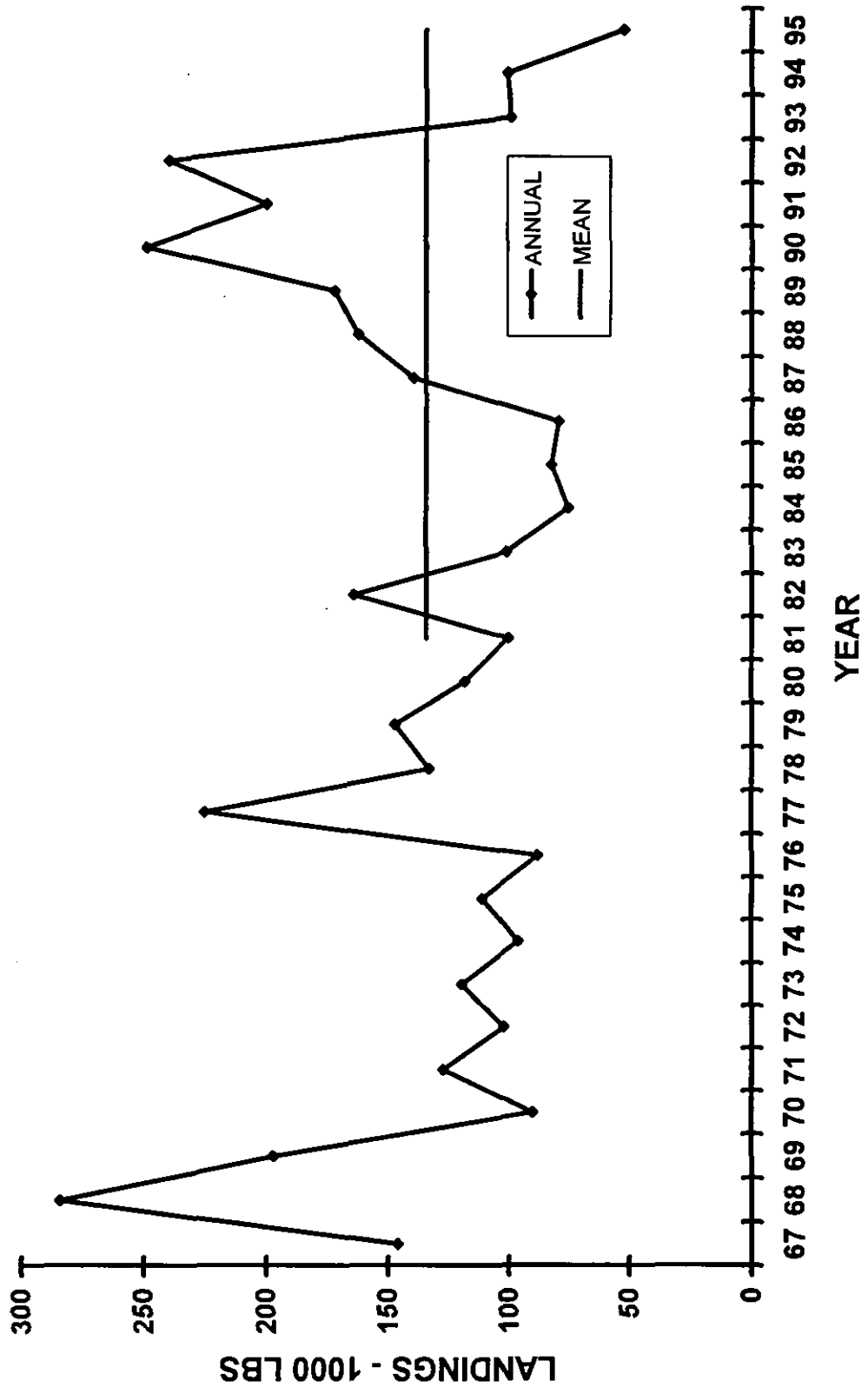


FIGURE 6. ANNUAL HARD CRAB LANDINGS AND 15 YEAR MEAN

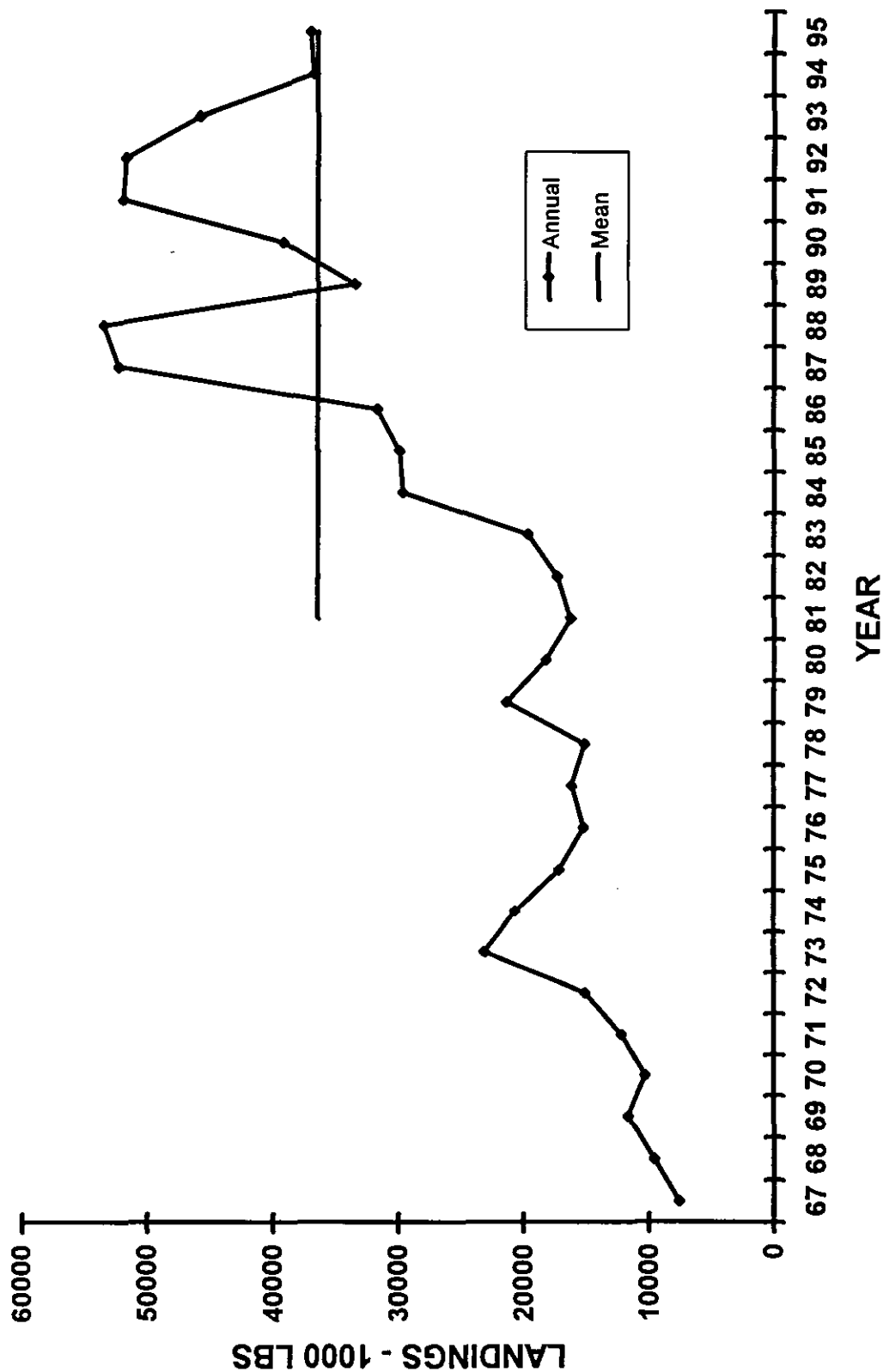
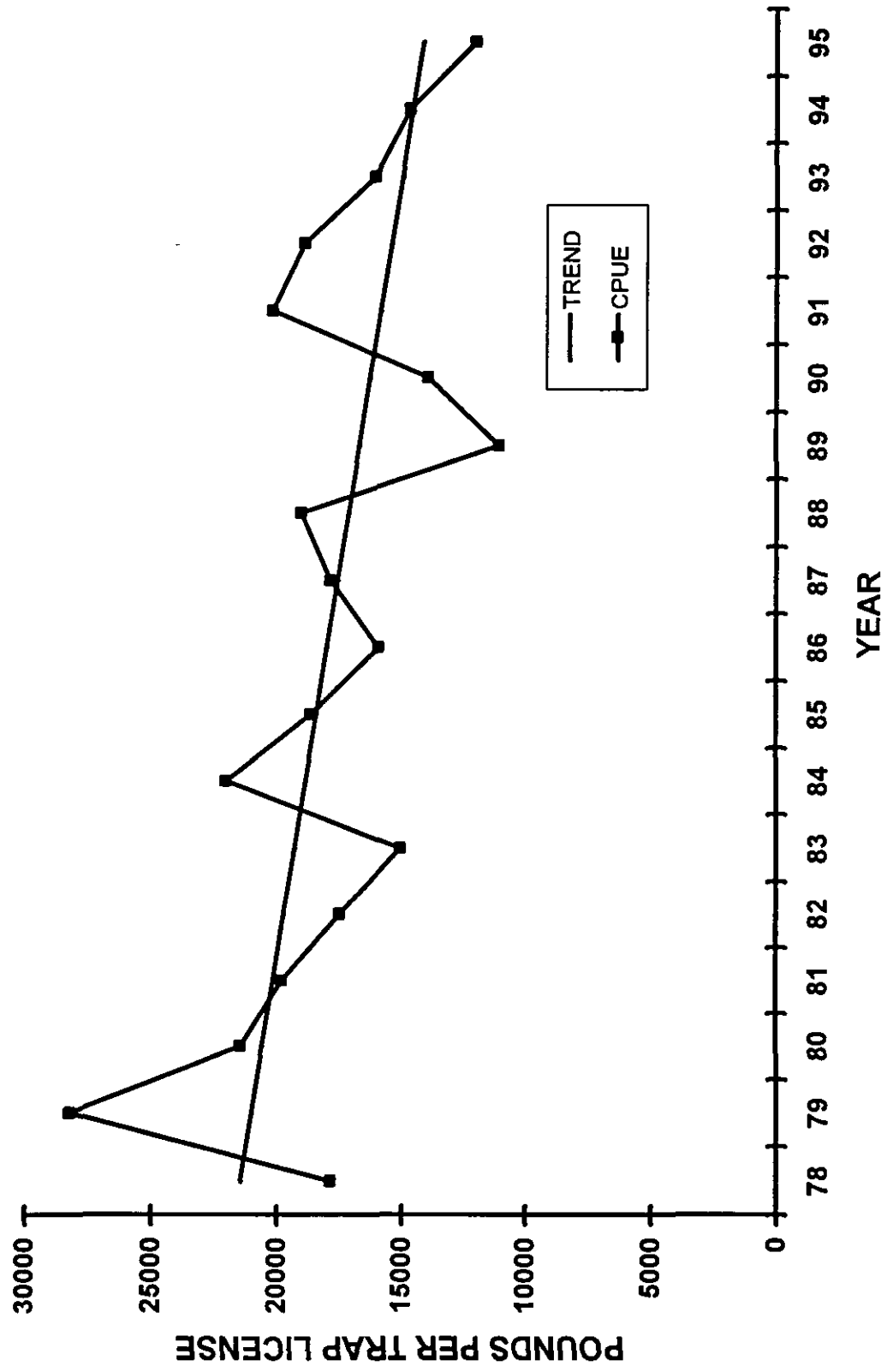


FIGURE 7. CATCH PER TRAP LICENSE





# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 29, 1996

Honorable Craig Romero  
State Senator  
P. O. Drawer 12539  
New Iberia, LA 70562-2539

Dear Senator Romero:

As per your conversation last week with Commissioner Jeff Schneider at the Natural Resources Committee Meetings, he would like to invite you to the Wildlife and Fisheries Commission Meeting wherein a discussion of crabs will be presented. The meeting is scheduled to begin at 10:00 a.m., on September 5th in the Louisiana Room of the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

If additional information is needed, please let me know.

Sincerely,

*Susan Hawkins*

Susan Hawkins  
Commission Secretary

sch

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

James H. Jenkins Jr.  
Secretary



CONTACT  
504/765-2923

96-199

8/30/96

### SEPTEMBER WILDLIFE & FISHERIES COMMISSION MEETING SET

The Louisiana Wildlife and Fisheries Commission will conduct its next regular meeting at 10 a.m. on Thursday, Sept. 5, 1996, in the Louisiana Room of Wildlife and Fisheries headquarters, 2000 Quail Dr., Baton Rouge.

The meeting is open to the public. The agenda follows.

1. Roll call.
2. Approval of minutes of Aug. 8, 1996.
3. Announcement of winner of Louisiana Outdoor Writers Association youth journalism contest.
4. Discussion of water diversion in the West Pearl River.
5. Declaration of Emergency: 1996-96 waterfowl hunting seasons.
6. Public comments on 1997 spring turkey hunting season.
7. Ratification: physically challenged hunter program.
8. Establishment of disabled hunter review board.
9. Ratification: Waddill Wildlife Refuge.
10. Ratification: Timken Wildlife Management Area.
11. Declaration of Emergency: trapping season dates.
12. Declaration of Emergency: delay in opening oyster season in Calcasieu Lake and West Cove.
13. Notice of Intent: special bait dealer's permit.
14. Crab report.
15. Enforcement and Aviation reports — August.
16. Division reports.
17. Set January 1997 meeting date.
18. Public comments.
19. Adjourn.

-30-

August 26, 1996

NEWS RELEASE

APPROVED: \_\_\_\_\_



AGENDA FOR COMMISSION MEETING

The next regular public board meeting has been scheduled by the Commission for 10:00 A.M. on Thursday, September 5, 1996, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of Minutes of August 8, 1996
3. Announce Louisiana Outdoor Writers Association Winner of Youth Journalism Contest
4. Discussion on Water Diversion in the West Pearl River
5. Declaration of Emergency - 1996-97 Waterfowl Hunting Seasons
6. Public Comments on 1997 Spring Turkey Hunting Season Proposals
7. Rule Ratification - Physically Challenged Hunter Program
8. Establish Disabled Hunter Review Board
9. Rule Ratification - Waddill Wildlife Refuge
10. Rule Ratification - Timken Wildlife Management Area
11. Declaration of Emergency - Trapping Season Dates
12. Declaration of Emergency - Delay in Opening Oyster Season in Calcasieu Lake & West Cove
13. Notice of Intent - Special Bait Dealer's Permit
14. Crab Report
15. Enforcement & Aviation Reports/August
16. Division Reports
17. Set January 1997 Meeting Date
18. Public Comments
19. Adjourn

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 26, 1996

## MEMORANDUM

TO: Chairman and Members of Commission  
FROM: James H. Jenkins, Jr., Secretary  
SUBJECT: September Commission Meeting Agenda

The next regular Commission meeting will be held at 10:00 A.M. on Thursday, September 5, 1996, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following will be on the agenda:

1. Approval of Minutes of August 8, 1996
2. Announce Louisiana Outdoor Writers Association Winner of Youth Journalism Contest

## COMMISSIONER SCHNEIDER

3. Discussion on Water Diversion in the West Pearl River

## OFFICE OF WILDLIFE

4. Declaration of Emergency - 1996-97 Waterfowl Hunting Seasons
5. Public Comments on 1997 Spring Turkey Hunting Season Proposals
6. Rule Ratification - Physically Challenged Hunter Program
7. Establish Disabled Hunter Review Board
8. Rule Ratification - Waddill Wildlife Refuge
9. Rule Ratification - Timken Wildlife Management Area

Page 2  
Commission Meeting  
August 26, 1996

10. Declaration of Emergency - Trapping Season Dates

OFFICE OF FISHERIES

11. Declaration of Emergency - Delay in Opening Oyster Season  
in Calcasieu Lake & West Cove

12. Notice of Intent - Special Bait Dealer's Permit

13. Crab Report

WINTON VIDRINE

14. Enforcement & Aviation Reports/August

15. Division Reports

16. Set January 1997 Meeting Date

17. Public Comments

JHJ:sch

C: Clyde Kimball  
Fred Prejean  
Johnnie Tarver  
John Roussel  
Don Puckett  
John Medica  
Division Chiefs

**FAX TRANSMITTAL**

TO: Glynn Carver  
Chairman  
FAX# \_\_\_\_\_  
FROM Susan Hawkins  
RE: September Commission Agenda

Please review the attached for the September 5th  
Commission Meeting. Call and let me know if okay.

Thank you.

DATE: 8/22/96  
TIME SENT \_\_\_\_\_  
FOR INFORMATION CALL (504) 765- 2806  
OUR FAX # (504) 765-2607  
PAGES TO FOLLOW 2

MEMORANDUM

TO: Chairman and Members of Commission  
FROM: James H. Jenkins, Jr., Secretary  
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COMMISSIONER SCHNEIDER

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OFFICE OF WILDLIFE

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JHJ:sch

C: Clyde Kimball  
Fred Prejean  
Johnnie Tarver  
John Roussel  
Don Puckett  
John Medica  
Division Chiefs



Items for Sept. Comm. meeting

Tommy ✓ Dave ✓ Bob Love Mike D.

- 1- Ratify Disabled Hunter Program Rule

~~Establish~~

- 2 - ~~Commission~~<sup>Commission</sup> Disabled Hunter Review Board

- 3 - Announce Final Waterfest Season DATES ~~(Information)~~

- 4 - Turkey session Public Comments

Due this book to me by Friday 16<sup>th</sup>

AB

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 5, 1996

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: James H. Jenkins, Jr., Secretary *J. H. Jenkins*

SUBJECT: Commission Meeting Agenda - September 5, 1996

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Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JHJ/sch

cc: Commissioners  
Don Puckett  
Winton Vidrine  
Hugh Bateman  
Bennie Fontenot  
Karen Foote  
Wynnette Kees  
Karl Turner  
Lyle Soniat  
James Manning

- 1) 1996-97 Waterfowl <sup>Hunting</sup> Seasons, FINAL Notice  
OF SEASON DATES - D. Morrison
- 2) Public Comment '97 Spring Turkey Hunting  
Proposals - H. Bateman
- 3) Physically Challenged Hunters Rules, FINAL  
Ratification - T. Puckett

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 5, 1996

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: James H. Jenkins, Jr., Secretary *JHJ*

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Winton Vidrine ✓  
Hugh Bateman  
Bennie Fontenot  
Karen Foote  
Wynnette Kees  
Karl Turner  
Lyle Soniat  
James Manning

*Enf. Report -*  
*WV*

08/06/96 13:20 8

--- SEAFOOD MKTG.

001/001

## State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 5, 1996

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: James H. Jenkins, Jr., Secretary *[Signature]*

SUBJECT: Commission Meeting Agenda - September 5, 1996

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Wynnette Kees  
Karl Turner  
Lyle Soniat  
James Manning

*Working to Add*  
*[Signature]*  
8/22/96

## Louisiana Seafood Promotion

& Marketing Board  
1600 Canal St., Ste. 210  
New Orleans, LA 70112

**FAX**

To:

~~Mr. John~~  
~~Lawrence~~  
Office of Wildlife  
(504) 165-2607

From:

✓  
KARL TURNER  
CHRIS HEBERT  
SARA ANN HARRIS  
KATHY JOHNSON  
OTHER

Date:

August 22, 1996

Number of Pages:

2

Phone: 1-800-222-4017

Fax: 504-568-5668

This is my response to Mr. Jenkins's memo.

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 5, 1996

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
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FROM: James H. Jenkins, Jr., Secretary *JHJ*

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Hugh Bateman  
Bennie Fontenot ✓  
Karen Foote  
Wynnette Kees  
Karl Turner  
Lyle Soniat  
James Manning

*Susan :*  
*I have no agenda items for the September meeting. Thanks.*

*Bennie*

*C. John Roussel*

An Equal Opportunity Employer

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

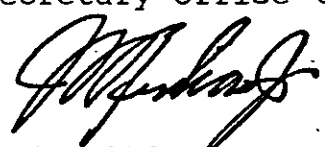
Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 5, 1996

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: James H. Jenkins, Jr., Secretary 

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Karen Foote  
Wynnette Kees  
Karl Turner  
Lyle Soniat ✓  
James Manning

(None)



STATE OF LOUISIANA  
HOUSE OF REPRESENTATIVES

DANIEL T. "DAN" FLAVIN  
District 36

August 16, 1996

4320 Lake Street  
P.O. Box 6027  
Lake Charles, Louisiana 70606  
Telephone: (318) 477-1334  
Fax: (318) 477-1336

437 Marshall Street  
Cameron, Louisiana 70631

Commerce  
Natural Resources  
Retirement

Mr. James H. Jenkins, Jr., Secretary  
Department of Wildlife & Fisheries  
P. O. Box 98000  
Baton Rouge, La. 70898-9000

Re: Item for Consideration by Wildlife & Fisheries Commission  
Delay in Opening Oyster Season in Calcasieu Lake & West Cove

Dear Mr. Jenkins:

Please accept this letter as my request to have the above-mentioned item added to the agenda for the Wildlife & Fisheries Commission on Thursday, September 5, 1996.

I have been approached by the oyster fishermen in Cameron Parish asking that the start of oyster season be delayed until November 1, 1996. This request is being made due to the fact that the oyster size on October 16, 1996 will be smaller thus setting the price lower for the season. If they are given until November 1, 1996 the cooler weather and the water temperature will increase the size of the oysters making the price better for the fishermen.

As you are aware, the oyster fishermen have faced many hardships in the past several years and it is my feeling that this request will be extremely helpful for them.

Any consideration you give to the matter will be greatly appreciated.

With best personal regards,

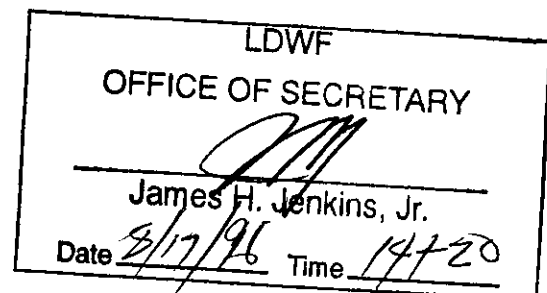
Sincerely yours,

Dan Flavin

DF/gg

cc: Mr. Glynn Carver, Chairman  
Wildlife & Fisheries Commission

Representative Ken Odinet, District 103





Susan Hawkins

State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

August 5, 1996

8-12-96  
Prog. Manager -  
Any items? Please  
list below and return  
now.  
Thanks.

M.J. "Mike" Foster  
Governor

8-13-96

John - FYI

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: James H. Jenkins, Jr., Secretary

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Bennie Fontenot  
Karen Foote ✓  
Wynnette Kees  
Karl Turner  
Lyle Soniat  
James Manning

Harry - No  
Hosifew - No

Bowman - NO.

Brandt - Notice of intent to change bait dealer reg.  
Crab report for Schneider

Dub - NO

Ron - no

JD - No

Claude No

FELS/NOI  
being  
prepared  
now! KP

# State of Louisiana



James H. Jenkins, Jr.  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504)765-2800

M.J. "Mike" Foster  
Governor

August 5, 1996

## MEMORANDUM

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Karen Foote  
Wynnette Kees ✓  
Karl Turner  
Lyle Soniat  
James Manning

*Nothing  
W. Kees*

# State of Louisiana



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Secretary


Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
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Karl Turner  
Lyle Soniat  
James Manning

**ENFORCEMENT CASE REPORT**

**AUGUST 1996**

ENFORCEMENT CASE REPORT-AUGUST 1996

REGION I

TOTAL CASES-44

ENFORCEMENT-44

OTHER DIV. - 0

7-Boating

6-Angling W/O A License

1-Angling W/O A Non-Resident License

22-Fishing W/O Cane Pole License

1-Take Illegal Size Black Bass

2-Not Abiding By Commission Rules (Recreational Finfish)

1-Failure To Have Commercial License In Possession

1-Take Commercial Fish W/O Commercial Gear License

1-Hunting W/O Resident License

2-DWI

CONFISCATIONS:

31 pounds of catfish, 3-one inch mesh hoop nets, 7 illegal size black bass.

TOTAL OF EACH CATEGORY FOR REGION I:

7-Boating

32-Sport Fishing

2-Commercial Fishing

1-Hunting

2-Other

Page (2)

REGION 2

TOTAL CASES-61

ENFORCEMENT-61

OTHER DIV. - 0

**15-Boating**

**2-No Transport License**

**1-Illegal Shipping Of Commercial Fish**

**1-Take Undersize Commercial Fish**

**1-Violate Gamefish Shipping Regs.**

**11-Angling W/O A License**

**7-Fish W/O A Resident Pole License**

**1-Take Illegal Size Black Bass**

**1-Possess Wild Quadrupeds W/O Permit**

**1-Possess Squirrels Closed Season**

**1-Take Deer Closed Season**

**1-Possession Illegally Taken Deer**

**1-Possible Quadrupeds W/O Permit**

**1-Not Abiding By Rules And Regs. Wildlife Management Area**

**9-Littering**

**7-Traffic Violations**

**9-Public Assistance**

**CONFISCATIONS:**

**76 lbs. Of red fish.**

Page (3)

**REGION 2**

**TOTAL OF EACH CATEGORY FOR REGION 2:**

**15-Boating**

**9-Public Assistance**

**5-Commercial Fishing**

**19-Sports Fishing**

**6-Hunting**

**9-Littering**

Page (4)

**REGION 3**

**TOTAL CASES-99**

**ENFORCEMENT-99**

**OTHER DIV. - 0**

**32-Boating**

**37-Angling W/O License In Possession**

**3-Fishing W/O Non-Resident License**

**1-Using Recreational Gear W/O License**

**3-Take Illegal/Undersize Black Bass**

**1-Take Over Limit Game Fish (Black Bass)**

**2-Take Fish Illegally (Shocking Device)**

**2-Take Commercial Fish W/O Commercial Gear License**

**1-Sell Shrimp W/O Wholesale/Retail License**

**1-Take Undersize Commercial Finfish**

**4-Take Freshwater Mussels In Closed Area**

**1-Take Deer In Closed Season**

**1-Possess Live Wild Quadrupeds W/O License**

**2-Failure To Abide Rules and Regs. On WMA**

**2-Operate ATV On Public Road**

**3-Criminal Trespass On State Property**

**3-Littering**

**CONFISCATIONS:**

**5 catfish, 15 black bass, 1816 mussels, 1 squirrel, 1 doe deer.**



Page (5)

REGION 3 CONT'D.

CONFISCATIONS CONT'D.

16 foot boat, 1-40 hp. Yamaha outboard motor, 1 fish shocking device, 2 hoopnets, 1 dip net, 1 pair rubber gloves.

TOTAL OF EACH CATEGORY FOR REGION 3:

32-Boating

10-Commercial Fishing

45-Sport Fishing

4-Hunting

5-Other

3-Littering

Page (6)

**REGION 4**

**TOTAL CASES-54**

**ENFORCEMENT-54**

**OTHER DIV. - 0**

**23-Boating**

**7-Angling W/O A License**

**3-Angling W/O A Non-Resident License**

**10-Fishing W/O Resident Pole License**

**1-Taking Undersize Commercial Fish**

**10-Violate Rules And Regs. Of Harvest Of Freshwater Mussels**

**CONFISCATIONS:**

**217 undersize catfish, 894 undersize mussel shells, 222 dead mussel shells, 3 boats, 3 outboard motors, 3 trailers, 3 compressors and diving equipment, 3 commercial licenses, 3 mussel permits.**

**TOTAL OF EACH CATEGORY FOR REGION 4:**

**23-Boating**

**21-Fishing**

**10-Commercial Fishing**

Page (7)

REGION 5

TOTAL CASES-216

ENFORCEMENT-209

OTHER DIV. - 7

58-Boating

40-Angling W/O A License

1-Angling W/O A License Non-Resident

1-Use Gear W/O Recreational Gear License

1-Angling W/O Saltwater License

1-Angling W/O Saltwater License Non-Resident

4-Take Undersize Red Drum

3-Take Undersize Spotted Sea Trout

3-Take Undersize Black Drum

4-Not Abiding By Commission Rules Rec. Finfish

2-Take Commercial Fish W/O Commercial License

1-Take Commercial Fish W/O Commercial Gear License

4-Take Commercial Fish W/O Vessel License

31-Sell Fish W/O Wholesale/Retail Dealer's License

12-Fail To Maintain Records

2-Transport W/O Required License Resident

2-Use Saltwater Net Illegally (Gill Net)

2-Buy Commercial Fish From Un-Licensed fisherman

3-Blocking Passage Of Fish

**REGION 5 CONT'D.**

1-Allow Another To Use Commercial License

1-Allow Another To Use Commercial Vessel And Vessel License

1-Allow Another To Use Commercial Gear And Gear License

1-Trawling Inside Waters W/Oversized Double Rigs (Over 25 feet)

16-Butterflying In Closed Season

3-Use Skimmers In Closed Season

1-Taking Alligators Closed Season

5-Not Abiding By Rules And Regs. On WMA

4-Illegal Possession Of Marijuana

7-Littering

1-Operate ATV Vehicle On Public Road

**CONFISCATIONS:**

7 black drum, 8 red drum, 1 speckled trout, 3 red snapper, 4 cobia, 5,693 lbs. Of shrimp sold for 750.00, 12 greater amberjack, 8 record books from Bis Seafood, 2 gillnets, 5 marijuana cigarettes, 6 trawls, 1-42 foot shrimp boat, 1 alligator.

**TOTAL OF EACH CATEGORY FOR REGION 5:**

58-Boating

7-Littering

61-Sport Fishing

79-Commercial Fishing

6-Hunting

5-Other

**REGION 6**

**TOTAL CASES-155**

**ENFORCEMENT-138**

**OTHER DIV. - 17**

**91-Boating**

**1-Failure To Have Commercial License In Possession**

**1-Take Commercial Fish Without Vessel License**

**1-Take Or Possess Undersize Commercial Fish**

**25-Angling W/O A License**

**2-Angling W/O A Non-Resident License In Possession**

**27-Take Illegal Size Black Bass**

**1-Possess Over The Limit Of Red Drum**

**1-Take Or Possess Undersize Black Drum**

**4-Possess Over Limit Of Spotted Sea trout**

**1-Not Abiding By Rules And Regs. On WMA**

**CONFISCATIONS:**

**55 black bass, 1 red drum, 24 spotted sea trout, 90 lbs. catfish, 2 black drum.**

**TOTAL OF EACH CATEGORY FOR REGION 6:**

**91-Boating**

**3-Commercial Fishing**

**60-Sport Fishing**

**1-Other**

Page (10)

REGION 7

TOTAL CASES-198

ENFORCEMENT-183

OTHER DIV. - 15

79-Boating

51-Fish Without Fishing License

5-Fish Without Non-Resident License

2-Fish Without Cane Pole License

1-Fish Without Saltwater License

1-Fish Without Non-Resident Saltwater License

1-Fish Without Conservation Stamp

2-Take Undersize Specs

3-Fail to Have Commercial License In Possession

4-Take Commercial Fish Without Vessel License

2-Take Commercial Fish Without Commercial License

14-Fail To Comply With Shark Permit

4-Trawl In Closed Season

1-Selling Shrimp Without Wholesale-Retail License

4-Hunt From A Moving Vehicle

2-Hunt Quadrupeds At Night

4-Hunt From A Public Road

2-Take Deer Closed Season

6-DWI

**REGION 7 CONT'D.**

**1-Felony Theft**

**1-Littering**

**1-Filing False Documents**

**1-Illegal Possession Of Live Alligator**

**2-Possession Of Marijuana**

**2-Violate No Wake Zone**

**1-No Drivers License**

**1-Reckless Operation Of Vehicle**

**CONFISCATIONS:**

**3 trawls, 1-50 foot vessel, 2 marijuana cigarettes, 1 cast net, 1 rifle, 1 spotlight.**

**TOTAL OF EACH CATEGORY FOR REGION 7:**

**79-Boating**

**3-Public Assistance**

**28-Commercial Fishing**

**63-Sport Fishing**

**12-Hunting**

**1-Reptile/Amphibian**

**14-Other**

**1-Littering**

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REGION 8

TOTAL CASES-285

ENFORCEMENT-264

OTHER DIV. - 21

35-Boating

99-Angling W/O Basic Resident License

13-Angling W/O Basic Non-Resident License

4-Use Gear W/O Recreational Gear License

3-Angling W/O Saltwater License

1-Angling W/O Non-Resident Saltwater License

2-Possess Over The Limit Of Red Drum

3-Possess Over The Limit Of Red Drum In Excess Of 27"

2-Fail To Have Saltwater Fish Intact

1-Take Or Possess Undersize Red Drum

3-Take Or Possess Undersize Speckled Trout

1-Take Or Possess Undersize Black Drum

2-Take Or Possess Undersize Red Snapper

5-Fail To Comply With Charter Boat Regulations

1-Fail To Commercial License In Possession

1-Take Or Sell Commercial Fish W/O Commercial License

1-Take Or Possess Commercial Fish W/O Vessel License

1-Fail To Maintain Records

1-Transport W/O Required License



**REGION 8 CONT'D.**

1-Illegal Shipping Of Commercial Fish

2-Take Or Possess Undersize Commercial Finfish

4-Possession Of Red Drum

4-Use Saltwater Net

4-Fail To Keep Net On Board

4-Fail To Comply With Commission Rules And Regs. Concerning Traversing

1-Buy Commercial Fish From Unlicensed Fisherman

1-Use Crab Traps W/O Required Markings

1-Destroy Legal Crab Traps Or Remove Contents

1-Possess Or Sell Undersize Crabs

37-Fail To Comply With Shark Permit And Report Rules

4-Possess Red Drum Illegally

16-Trawling In Inside Waters In Closed Season

1-Use Oversize Trawls

4-Trawl In Restricted Areas

5-Butterflying In Closed Season

16-Use Skimmers In Closed Season

**CONFISCATIONS:**

44 red drum, 8 red snapper, 24 greater amberjack, 400 lbs. Of crabs returned to water,

128 cobia, 1169 lbs. Of shrimp sold for \$2,544.41, 5 speckled trout, 1 white trout, 5

catfish, 52 lbs. Of pompano and 11,469 lbs. Of black drum sold for \$12,879.60, 8

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**REGION 8**

**CONFISCATIONS CONT'D.**

**trawls, 1 basic fishing license, 1 marine conservation stamp, 24 skimmer nets, 4 butterfly nets, 43 bullets, 1 saltwater license, 1 seine, 1200 feet of gill net.**

**TOTAL OF EACH CATEGORY FOR REGION 8:**

**35-Boating**

**5-Public Assistance**

**128-Sport Fishing**

**110-Commercial Fishing**

**12-Other**

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REGION 9

TOTAL CASES-356

ENFORCEMENT-343

OTHER DIV. - 13

67-Boating

78-Angling W/O A License

10-Angling W/O Non-Resident License

3-Use Gear W/O Recreational Gear License

28-Angling W/O Saltwater License

13-Fail To Have Saltwater Stamp

4-Possess Over limit Brown Southern Flounder

28-Take Illegal Size Black Bass

3-Possess Undersize Red Drum

1-Possess Undersize Spotted Sea Trout

7-Possess Undersize Black Drum

1-Possess Over limit Of Spotted Sea Trout

1-Not Abiding By Commission Rules-Rec. Finfish

5-Fail To Comply w/Charter Boat Regs.

1-Sell Fish Caught Recreationally

3-Angling W/O Saltwater License Non-Res.

5-Take Commercial Fish W/O Commercial License

10-Take Commercial Fish W/O Vessel License

2-Fail To Maintain Records

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**REGION 9 CONT'D.**

**2-Transport W/O Required License**

**6-Leave Nets Unattended**

**2-Possess Undersize Commercial Catfish**

**2-Possess Crabs In Berry Stage**

**5-Use Crab Traps W/O Required Markings**

**1-Tending Crab Traps Illegal Hours**

**6-Theft Of Crab Trap**

**4-Possess Undersize Commercial Hard Crabs**

**6-Trawling In Closed Season Inside Waters**

**2-Trawling Inside Waters W/Oversized Double Rigs**

**7-Butterflying In Closed Season**

**13-Use Skimmers In Closed Season**

**2-Use Illegal Mesh Trawl**

**1-Use Illegal Butterfly Nets**

**1-Use Illegal Skimmer Net**

**1-Use Oversize Skimmer Nets**

**3-Use Illegal Butterfly Net Extension**

**8-Violate Shrimp Provisions**

**1-Possess Spotted Fawn**

**1-Possess Alligator Closed Season**

**1-Failure To Have Written Permission**

**REGION 9 CONT'D.**

**3-Hunting MGB From Moving Motorboat**

**3-Taking Other Non-Game Birds No Season**

**1-Littering**

**3-Take Federally Controlled Fish In Closed Season**

**1-Violation Of Sanitary Ordinance/Failure To Refrigerate Properly**

**CONFISCATIONS:**

**4 mangrove snapper, 18 berry crabs, 12 large mouth bass, 8 heron, 30 red drum, 33 sea trout, 17 black drum, 54 black bass, 600 lbs. Of crabs, 1 spotted fawn, 22 sacks of oysters released, 124 southern flounders, 52 catfish, 1,826 lbs. Of shrimp sold for \$2,117.75, 19 crab traps, 8 butterfly nets, 1 fishing license, 22 skimmer nets, 9 trawl nets, 6 boats, 8 champagne containers, 1 pistol, 1 sales record, 11 business log sheets.**

**TOTAL OF EACH CATEGORY FOR REGION 9:**

**67-Boating**

**4-Oyster**

**178-Sport Fishing**

**50-Commercial Fishing**

**44-Trawling**

**1-Deer**

**1-alligator**

**6-MGB**

**1-WMA**

**4-Misc.**

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S.W.E.P.

174-RUNNING HOURS

214-BOATS CHECKED

58-CITATIONS ISSUED

1-Boating

11-Angling W/O A License

1-Angling W/O A License Non-Resident

34-Trawling In Closed Season

1-Use Oversize Trawl Inside Waters

3-No Commercial Fishing License

3-No Commercial Gear License

2-No Commercial Vessel License

1-Possess Undersize Spotted Sea trout

1-Use Oversize Cast Net

**CONFISCATIONS:**

694 lbs. of shrimp seized and sold for \$1,552.65, 10 trawls.

**TOTAL OF EACH CATEGORY FOR S.W.E.P:**

1-Boating

12-Sport Fishing

45-Commercial Fishing

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**SPECIAL SEAFOOD INVESTIGATIVE UNIT:**

**TOTAL CASES-144**

**2-Boating**

**14-Angling W/O A License**

**12-Angling W/O A Saltwater License**

**2-Angling W/O A Non-Resident License**

**2-Angling W/O A Saltwater License Non-Resident**

**1-Take/Possess Undersize Spotted Sea Trout**

**2-Take/Sell Commercial Fish/Bait Species W/O Commercial License**

**1-Take Commercial Fish W/O Commercial Gear License**

**4-Sell And/Or Buy Fish W/O Wholesale/Retail Dealers License**

**9-Fail To Maintain Records**

**2-Transport W/O Required License**

**1-Illegal Shipping Of Commercial Fish**

**4-Possess Red Drum/Spotted Sea Trout**

**4-Use Saltwater Net Illegally**

**4-Fail To Keep Net On Traversing Board**

**4-Fail To Comply Commercial Rules, Regs. Traversing Permit**

**2-Buy Commercial Fish Un-Licensed Fisherman**

**1-Allow Another To Use Commercial Gear**

**1-Allow Another To Use Commercial Vessel**

**SPECIAL SEAFOOD INVESTIGATIVE UNIT**

**CONT'D.**

**1-Fail To Report Commercial Fishery Data**

**1-Filing False Public Documents**

**61-Fail To Comply W/Shark Permit/Reporting Rules**

**7-Trawl In Closed Season**

**1-Use Illegal Mesh Trawl, Butterfly Nets, Seines Or Skimmers**

**1-Theft Of State Property**

**CONFISCATIONS:**

**5 trawls, 2 skimmer nets, 2 fiberglass barges, 2 boats, 1 purse seine, 1 seine, 5,077 lbs.**

**Of shrimp sold for \$7,315.40, 8,365 lbs. Of black drum sold for \$3,346.00, 3,104 bull**

**drum sold for \$9,312.00, 128 lbs. Of cobia sold for \$128.00, 52 pompano sold for**

**\$93.00.**

**TOTAL OF EACH CATEGORY FOR SPECIAL SEAFOOD INVESTIGATIVE UNIT:**

**2-Boating**

**35-Sport Fishing**

**106-Commercial Fishing**

**1-Other**



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**SPECIAL STRIKE FORCE**

**TOTAL CASES-31**

3-Boating

3-Angling W/O A License

1-Take Or Possess Undersize Spotted Sea Trout

2-Fail To Have Commercial License In Possession

2-Take or Possess Commercial Fish W/O Commercial Gear License

1-Take Or Possess Commercial Fish W/O Vessel License

6-Sell And Or Buy Fish W/O Wholesale/Retail Dealers License

7-Fail To Maintain Records

2-Take/Possess Undersize Commercial Finfish

1-Allow Another To Use Commercial License

2-Trawl In Closed Season

1-Butterflying In Closed Season

**CONFISCATIONS:**

2 trawls.

**TOTAL OF EACH CATEGORY FOR SPECIAL STRIKE FORCE:**

3-Boating

3-Sport Fishing

25-Commercial Fishing

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TOTAL CASES ENFORCEMENT-1628

TOTAL CASES OTHER DIV. - 73

GRAND TOTAL -1701

ENFORCEMENT AVIATION REPORT  
AUGUST, 1996

185-Amph. - 61092	185-Float - 70365	210 - 9467Y
Hrs. - 71.8	Hrs. - 53.6	Hrs. - 61.0

Enforcement Hours - 172.1  
Other Divisions - 14.3

Total Plane Use - 186.4 Hrs.

Cases Made in Conjunction with Aircraft Use Resulted in Citations issued for:

- 3 - Butterfly Closed Season
- 5 - Trawling Closed Season
- 1 - Oversize Trawl
- 4 - Undersize Mesh
- 6 - Unattended Nets
- 2 - No Vessel License
- 1 - No Commercial License
- 2 - No Gear License
- 1 - Undersize Crabs
- 26 Total Cases

Confiscations: 1,000 Lbs. Of Shrimp, 10 Trawls, 2 Boxes Of Crabs,

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
September 5, 1996

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission meeting in Baton Rouge, Louisiana, September 5, 1996.

**WHEREAS,** public hearings have been held to discuss the status of waterfowl, including ducks, coots, and geese in Washington D. C., and

**WHEREAS,** the results of this meeting have been discussed with the Louisiana Wildlife and Fisheries Commission, and

**WHEREAS,** rules and regulations governing waterfowl season framework have been developed by the U.S. Fish and Wildlife Service, and

**WHEREAS,** the Louisiana Department of Wildlife and Fisheries staff has presented recommendations for waterfowl including season dates, bag limits and shooting hours, and

**WHEREAS,** it is the constitutional responsibility of the Louisiana Wildlife and Fisheries Commission to establish hunting seasons for waterfowl within the constraints of the U.S. Fish and Wildlife Service framework, now

**THEREFORE, BE IT RESOLVED** that on this date, the Louisiana Wildlife and Fisheries Commission does hereby ratify the attached season dates, bag limits and shooting hours.

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Glynn Carver, Chairman  
Wildlife and Fisheries Commission

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James H. Jenkins, Jr., Secretary  
Department of Wildlife and Fisheries

**DECLARATION OF EMERGENCY  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION  
September 5, 1996**

In accordance with the emergency provision of R.S. 49:953(B) of the Administrative Procedure Act, and under the authority of R.S. 56:115, the Secretary of the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission hereby adopt the following Emergency Rule.

The hunting seasons for Ducks, Coots and Geese during the 1996-97 hunting season shall be as follows:

**MIGRATORY GAME BIRDS**

**DUCKS AND COOTS:**

**West Zone:** (50 days) Nov. 9 (Sat.)- Dec. 1 (Sun.) (23 days)  
Dec. 21 (Sat.)- Jan. 16 (Thurs.) (27 days)

**East Zone:** (50 days) Nov. 23 (Sat.)- Dec. 5 (Thurs.)  
Dec. 14 (Sat.)- Jan. 19 (Sun.)

**Catahoula Lake Zone:**

(50 days) Nov. 23 (Sat.)- Dec. 5 (Thurs.)  
Dec. 14 (Sat.)- Jan. 19 (Sun.)

**Daily Bag Limits**

The daily bag limit on ducks is 5 and may include no more than 4 mallards (no more than 1 of which may be a female), 3 mottled ducks, 1 black duck, 2 wood ducks, 1 pintail, 1 canvasback and 2 redhead. Daily bag limit on coots is 15.

**Mergansers** - The daily bag limit for mergansers is 5, only 1 of which may be a hooded merganser. Merganser limits are in addition to the daily bag limit for ducks.

**Possession Limit** - The possession limit on ducks, coots and mergansers is twice the daily bag limit.

**GEESE:**

**LIGHT GEESE ( SNOW AND BLUE)**

**STATEWIDE SEASON:**

Nov. 9 (Sat.)-February 23 (Sun.)	107 days
Daily bag limit (snow and blue):	10
Possession limit (snow and blue):	30

**WHITE-FRONTED (SPECKLE BELLIES):**

Nov. 9 (Sat.)-Dec. 8 (Sun.)	30 days
Dec. 21 (Sat.)-Jan. 29 (Wed.)	40 days
Daily Bag limit (speckle bellies)	2
Possession limit (speckle bellies)	4

**Canada** During the Canada Goose Season (Jan. 21-Jan. 29) the daily bag limit for Canada and white-fronted geese is 2, of which not more than 1 can be a goose. Possession limit is twice the daily bag limit.

**CANADA GEESE: CLOSED IN THE AREA DESCRIBED BELOW**

Jan. 21 (Tues)-Jan. 29 (Wed)	9 days
------------------------------	--------

**Canada** During the Canada Goose Season (Jan. 21-Jan. 29) the daily bag limit for Canada and white-fronted geese is 2, of which not more than 1 can be a goose. Possession limit is twice the daily bag limit.

The Canada Goose Season will be open statewide except for a portion of southwest Louisiana. The closed area is described as follows:

That portion of Cameron and Vermilion parishes from the Texas state line south of Hwy. 82 to its junction with the Calcasieu Ship Channel, east of the Calcasieu Ship Channel to its junction with the Intracoastal Waterway to its junction with Hwy. 82 at Forked Island, west of Hwys. 82 and 3147 to the Junction of Hwy. 3147 and Freshwater Bayou.

A special permit shall be required to participate in the **Canada Goose Season**. A permit is required of everyone, regardless of age, and a non-refundable \$5.00 administrative fee will be charged. This permit may be obtained from any District

Office.

Return of harvest information requested on permit is mandatory. Failure to submit this information to the Department by February 15, 1997 will result in the hunter not being allowed to participate in the **Canada Goose Season** the following year.

A Declaration of Emergency is necessary because the U. S. Fish and Wildlife Service establishes the framework for all migratory species. In order for Louisiana to provide hunting opportunities to the 200,000 sportsmen, selection of season dates, bag limits and shooting hours must be established and presented to the U. S. Fish and Wildlife Service immediately.

The aforementioned season dates, bag limits and shooting hours will become effective Nov. 1, 1996 and extend through sunset on March 10, 1997.

## CRAB TASK FORCE

The Louisiana Crab Task Force began in 1989 when Concerned Crabbers of Louisiana sent a letter to Governor Buddy Roemer requesting that a Crab Task Force be formed to address problems in the industry. The Governor directed Virginia Van Sickle, Secretary of the Louisiana Department of Wildlife and Fisheries (LDWF), to assist the group. The Crab Task Force was never officially reauthorized with changes in Governors, but it has continued to present.

The Crab Task Force is presently made up of:

voting members -- 4 dealer/processors; 2 soft crab shedders; and, 7 hard crab fishermen;  
nonvoting members -- marine biologist, LDWF; LSU fisheries agent; enforcement representative, LDWF; economist, LSU; and, attorney, LSU Sea Grant.

At its inception, the Crab Task Force recognized some of the major problems/issues in the blue crab fishery and has attempted to resolve them:

### I. Possession of Undersize Crabs

- A. 1992 - Successfully sponsored legislation to eliminate an undersize crab loophole. To require that peeler crabs held for shedding must be placed in a separate, marked container.
- B. 1995 - Submitted several bills that did not pass:
  - 1. Dual liability for possession of undersize crabs. Provided that both the fishermen and whoever is in possession of the crabs would be in violation of undersize crab laws.
  - 2. Clarification of peeler crab exemption from undersize crab violation. Reworded the exemption for peeler crabs from undersize crab laws in order to close a loophole.
  - 3. Crab strike force. Provided for a special crab harvesters license (\$100), with the money dedicated to an enforcement crab strike force.
- C. 1996 - Is considering legislation that will subject flagrant (i.e., twice the maximum percentage of allowable undersize crabs) offenders to increased penalties.

*Will you ask to be considered*

### II. Trap and Crab Theft

- A. 1991 - Recommended a trap marking system to the Wildlife and Fisheries Commission.
- B. 1995 - Submitted legislation that did not pass: crab strike force.
- C. 1996 - Considering legislation that will subject trap and crab theft offenders to increased penalties.



### III. Limited Entry

- D. Orbach  
C. Duke Jim.*
- A. 1990 - Assisted with the commercial fishery-wide limited entry program proposal.
  - B. 1995 - Successfully sponsored legislation for a crab trap gear license moratorium. Provided for a license moratorium for crab trap gear licenses -- no one could purchase a crab trap gear license from 1996 to 1998 unless they had purchased one in either 1993, 1994, or 1995.
  - C. 1996 - Discussing limited entry in the crab fishery after the 1996-98 license moratorium expires.

Provisions of the proposed limited entry bill include:

1. A person issued a trap license must prove that:
  - a) They earned at least 50% of their earned income from sale of commercial fisheries species for two of the four years (1993, 94, 95, or 96).
  - b) They must have held a crab trap gear license for two of the same four years.
2. Trap licenses are nontransferable until license numbers are reduced by nonrenewal to a certain number. Fifty percent of retired licenses will be reissued by the LDWF using the lottery system until the desired number is reached.
3. After the desired number of trap licenses is reached, then the licenses may be transferred or sold.
4. A hardship/review board will be formed.

The Crab Task Force has also discussed trap limits, but has not acted upon it.

Other states have enacted various limited entry programs for the blue crab fishery:

1. License moratorium -- Alabama, Delaware, Maryland, North Carolina, New Jersey, Virginia
2. Trap limits -- Delaware, Maryland, New Jersey, Texas, Virginia
3. Income requirements - Florida

#### **IV. Ghost Traps**

- 1995-96 - Senate Concurrent Resolution No. 175 in 1995 directed the Crab and Shrimp Task Forces to jointly discuss "ghost traps," or lost/abandoned crab traps. The Crab Task Force formed a ghost trap committee to discuss ghost traps and ways to reduce their number. The Task Force plans to sponsor legislation or request the Commission to implement some of their recommendations.

The following measures have been approved:

1. Use of a nonfloating or weighted buoy line
2. Minimum buoy size of 7 ½ in. diameter (or equivalent); plastic jugs/bottles not allowed.
3. Minimum buoy line size of 1/4 inch
4. Education pamphlet for recreational boaters.

Other measures that will be discussed include:

1. Dated trap tags
2. Definition of ghost trap
3. Disposal sites for ghost traps
4. Crab trap weight specifications

#### **V. Inadequate Soft Crab Production Data**

- 1996 - Successfully sponsored legislation for a soft crab shedders license. Provided for all soft crab shedders to purchase a shedders license and to report on production.

#### **VI. User Group Conflicts**

- A. 1992 - Met with the Shrimp Task Force to help resolve shrimper/crabber conflicts in Vermilion Bay.
- B. 1996 - See ghost traps

#### **VII. Soft Crab Minimum Size Limit**

- 1992 - Successfully sponsored legislation to repeal the 4.5 inch minimum size law; Louisiana was the only state with soft crab minimum size restrictions.

#### **VIII. Crab Gear**

- 1991 - Successfully sponsored legislation to define crab traps, to define legal crab gear, and to exclude the use of crab dredges to harvest crabs.

## **STATUS OF THE LOUISIANA BLUE CRAB FISHERY**

Data and literature presented in this report were largely extracted from a report on the Louisiana blue crab fishery. This report utilized data from other blue crab publications and was presented at a symposium on "The Blue Crab Fisheries of North America" in Baltimore, Maryland in April, 1996.

### **RESOURCE STATUS**

#### **Fishery Independent Monitoring**

Blue crab data have been collected from 16-foot trawl samples taken as part of the Marine fisheries Division's Shrimp Monitoring Program which began in 1967. Blue crab catches were summarized from this data set for the 1967-1995 period.

Trawl data basically shows that there has been a significant increase in Catch Per Unit of Effort (CPUE) of small juvenile (<40 mm) blue crabs (Figure 1) and a significant decrease in CPUE of legal (127 mm and larger) blue crabs (Figure 2).

The upward trend in juvenile blue crab CPUE may be associated with coastal marsh loss and subsidence, which has temporarily increased marsh/water interface, detrital input to the estuarine food web and inundation time of intertidal marshes.

Decreased legal blue crab CPUE in trawl samples may be attributed to increased fishing mortality associated with increased commercial and recreational fishing effort and/or to increased unidentified mortality factors on larger juvenile crabs.

#### **Status of the Stock**

Inadequate fishery dependent and population dynamics data preclude a quantitative stock assessment of the Louisiana blue crab fishery. However, the general status of the fishery can be qualitatively characterized.

Trends exhibited by both commercial fishery data and trawl monitoring data are characteristic of a fishery subjected to high levels of fishing effort (i.e., beyond the minimum needed to achieve harvest levels); these include a downward trend in CPUE, increased numbers of gear units, and decreased legal blue crab CPUE in trawl data.

Blue crab biology and data strongly suggest that there is no evidence of a stock-recruitment problem in Louisiana. Some of this evidence includes:

1. Certain life history characteristics of the blue crab are those that tend to be associated with species capable of sustaining relatively liberal harvests. These traits include: high fecundity, rapid growth, early attainment of reproductive maturity, high interannual variability in abundance. There is strong evidence that blue crab abundance is influenced by environmental conditions (i.e. salinity, water temperature, etc.), which results in significant variabilities in annual abundance.
2. There has been an upward trend in small juvenile blue crabs in 16-foot trawl samples over the 1967-1995 period.
3. There is a high abundance of larval megalopae in northern Gulf of Mexico estuaries. There were 10-100 times more megalopae were collected in the northern Gulf of Mexico than along the Atlantic Coast during megalopal recruitment surveys.

Blue crab populations in the Gulf of Mexico are apparently limited by processes that affect juveniles, not the availability of larvae.

Several factors may have contributed to the long term decline in commercial CPUE and declining landings during 1993, 1994, and 1995, such as:

1. Long-term declines in commercial CPUE typically occur as fishing effort increases.
2. Blue crab populations are cyclic and the Louisiana blue crab population is apparently in a low phase of abundance. Data on commercial CPUE (this report) show that peaks are often followed by three or four years of consecutively declining CPUE.

## **FISHERY STATUS**

### **Soft Crab Commercial Fishery Participants**

Estimates of the number of soft crab operators range from 425 in 1985 to 228-300 in 1991. In 1995, a shedders license was required; 152 licenses have been sold.

According to surveys of the fishery prior to the new shedders license/reporting requirements, soft crab production may have been underestimated by a factor of 15 to 19 because of the many small "mom and pop" operations that marketed product directly to consumers or restaurants.

## **Hard Crab Commercial Fishery Participants**

The number of LDWF crab trap gear licenses increased dramatically during the 1980s until a peak of 3019 was reached in 1989, decreased slightly and stabilized (2503-2807) from 1990-1994, and then again increased sharply to 3482 in 1995 (Figure 3).

The dramatic increase in 1995 trap licenses was attributed to increased gear license sales associated with a new legislative statute that established eligibility criteria (i.e., purchase of the same license during either 1993, 1994, or 1995) for a 1996-1998 crab trap gear license moratorium. Many fishermen apparently purchased licenses merely to meet eligibility requirements; a total of 1368 trap licenses were purchased in 1995 by fishermen who did not have a license in either 1993 or 1994.

The number of traps per fisherman has also increased historically (Figure 4). The number of overall traps in the fishery has dramatically increased from approximately 140,000 in 1980 to over 600,000 after 1987. [ number of traps=gear licenses X avg. trap estimates (NMFS - 1978-88)]

## **Soft Crab Production**

Production was low during the early 1980s, but then increased with the development and widespread adoption of closed-recirculating shedding systems and promotional efforts. Soft crab production ranged from 200,000 to 249,000 pounds in the early 1990s, and then declined to approximately 100,000 pounds or less after 1992 (Figure 5).

Lowered production in 1993, 1994, and 1995 was probably associated with the low abundance of crabs and, consequently availability of buster crabs to shed.

## **Hard Crab Production**

Annual landings increased dramatically in the mid-1980s, with five successive harvest records set in the late 1980s. Landings declined from over 50 million pounds in 1991 and 1992, to approximately 45, 37, and 36 million pounds the last three years (Figure 6). After 1986 only 1989 annual landings were below the 1981-95 mean of 33 million pounds.

The dramatic 1980s increases were largely attributed to increased numbers of fishermen and traps per fishermen.

Annual catch per licensed fisherman for the 1978-1995 period (Figure 7) displayed a significant downward trend, although there appeared to be a cyclic pattern.

FIGURE 1. CATCH PER SAMPLE OF SMALL JUVENILE (<40 MM)  
CRABS IN TRAWL SAMPLES

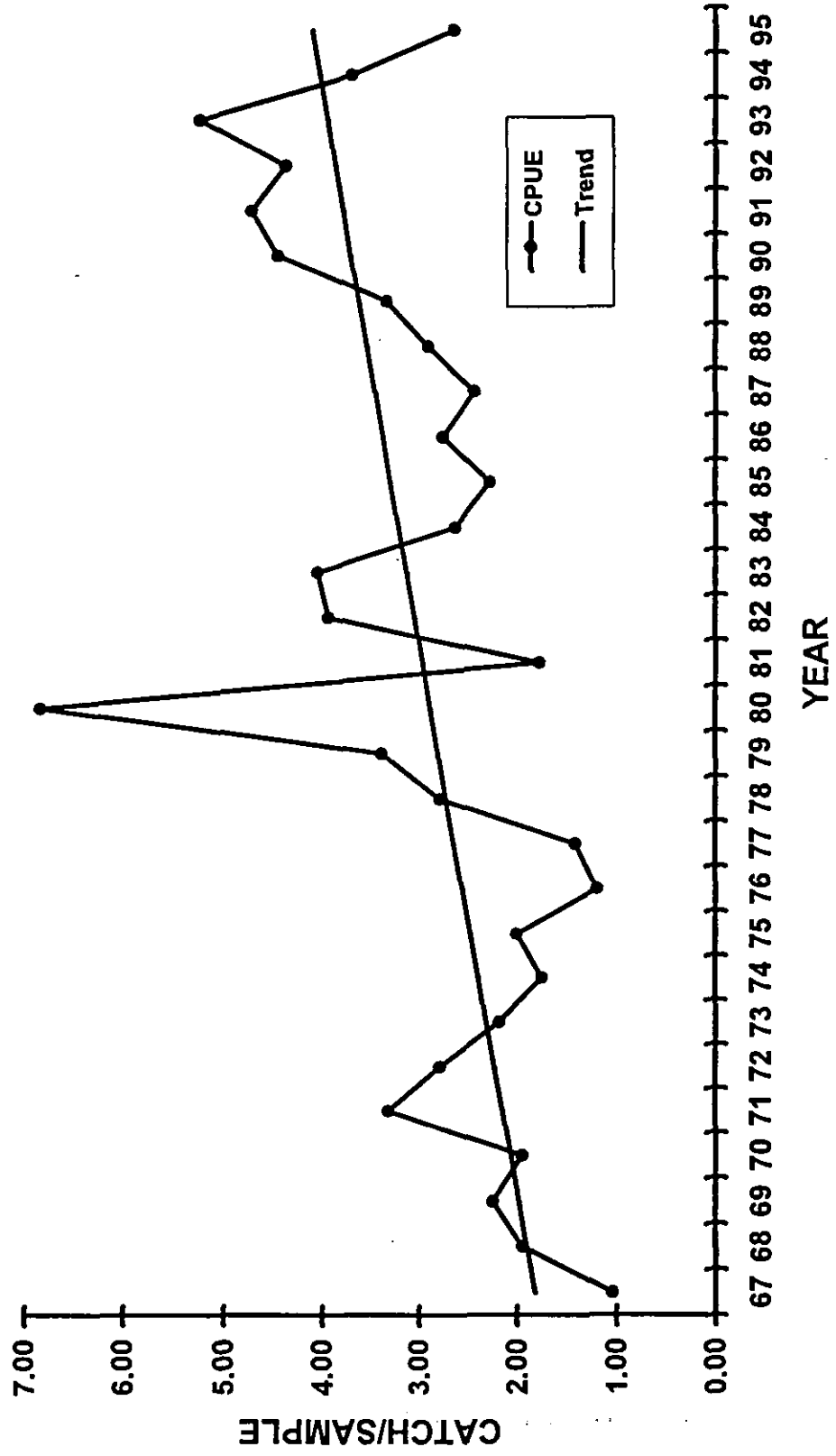


FIGURE 2. CATCH PER SAMPLE OF LEGAL CRABS IN TRAWL  
SAMPLES

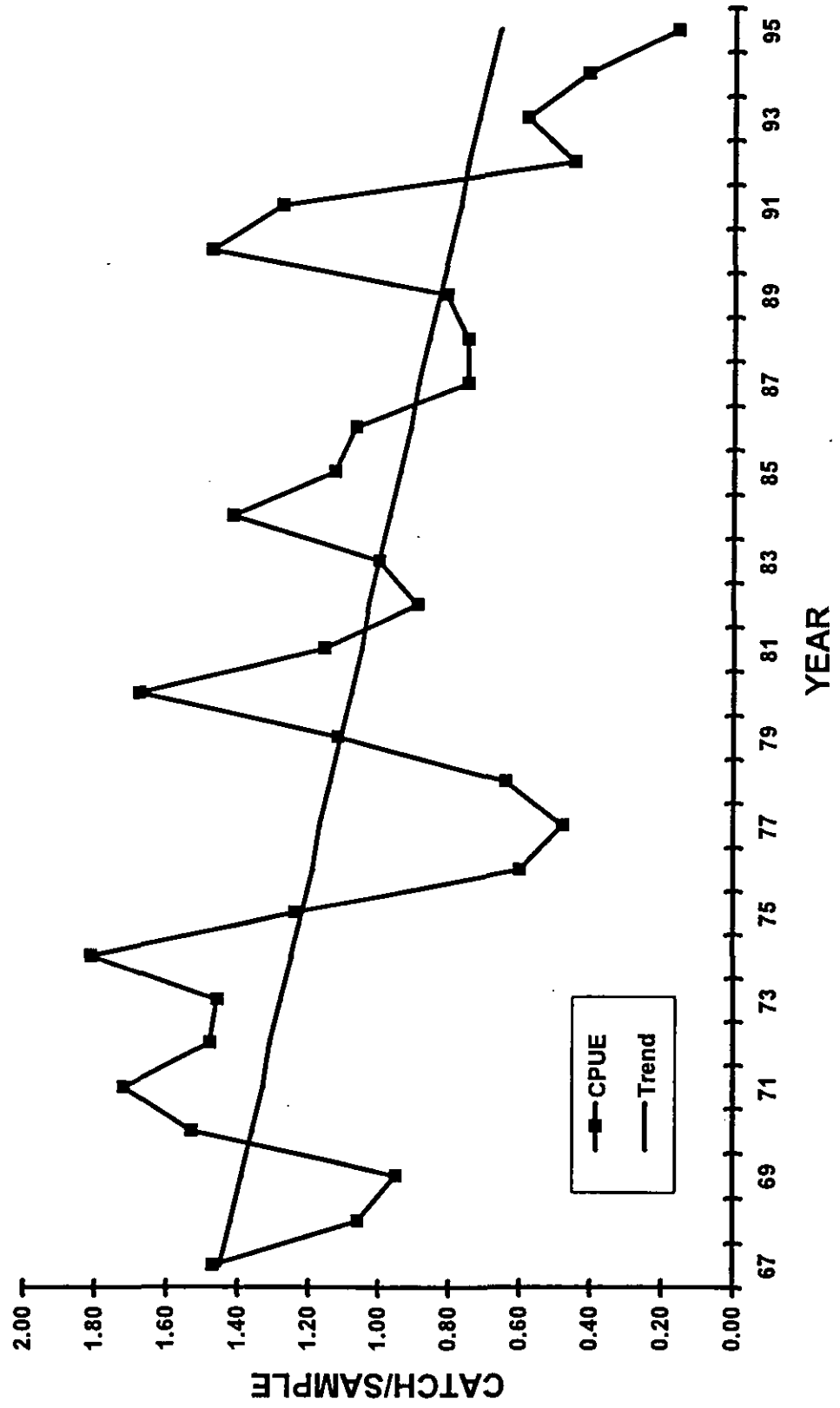


FIGURE 3. NUMBER OF CRAB TRAP GEAR LICENSES

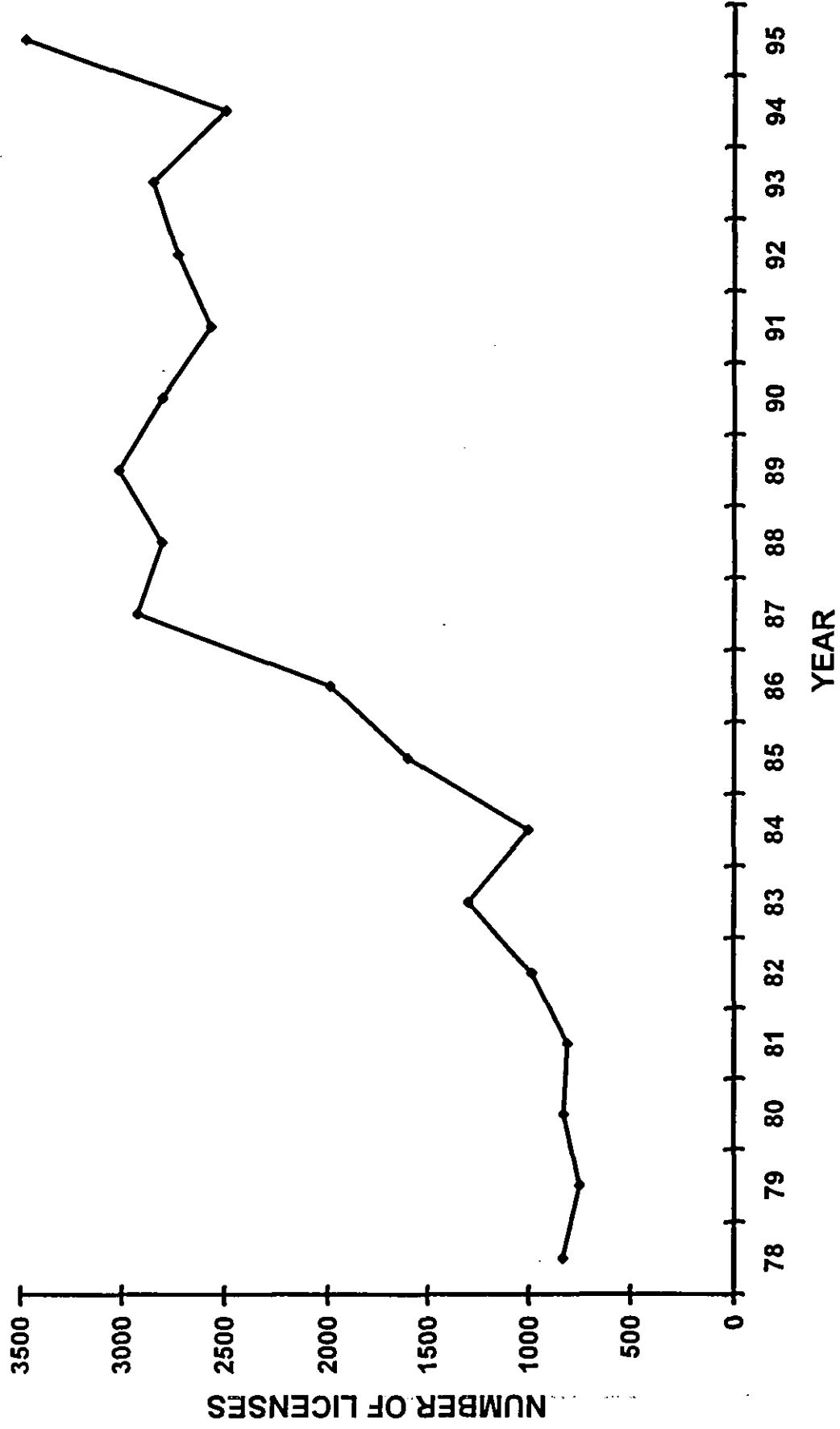




FIGURE 4. AVERAGE NUMBER OF TRAPS PER FISHERMEN

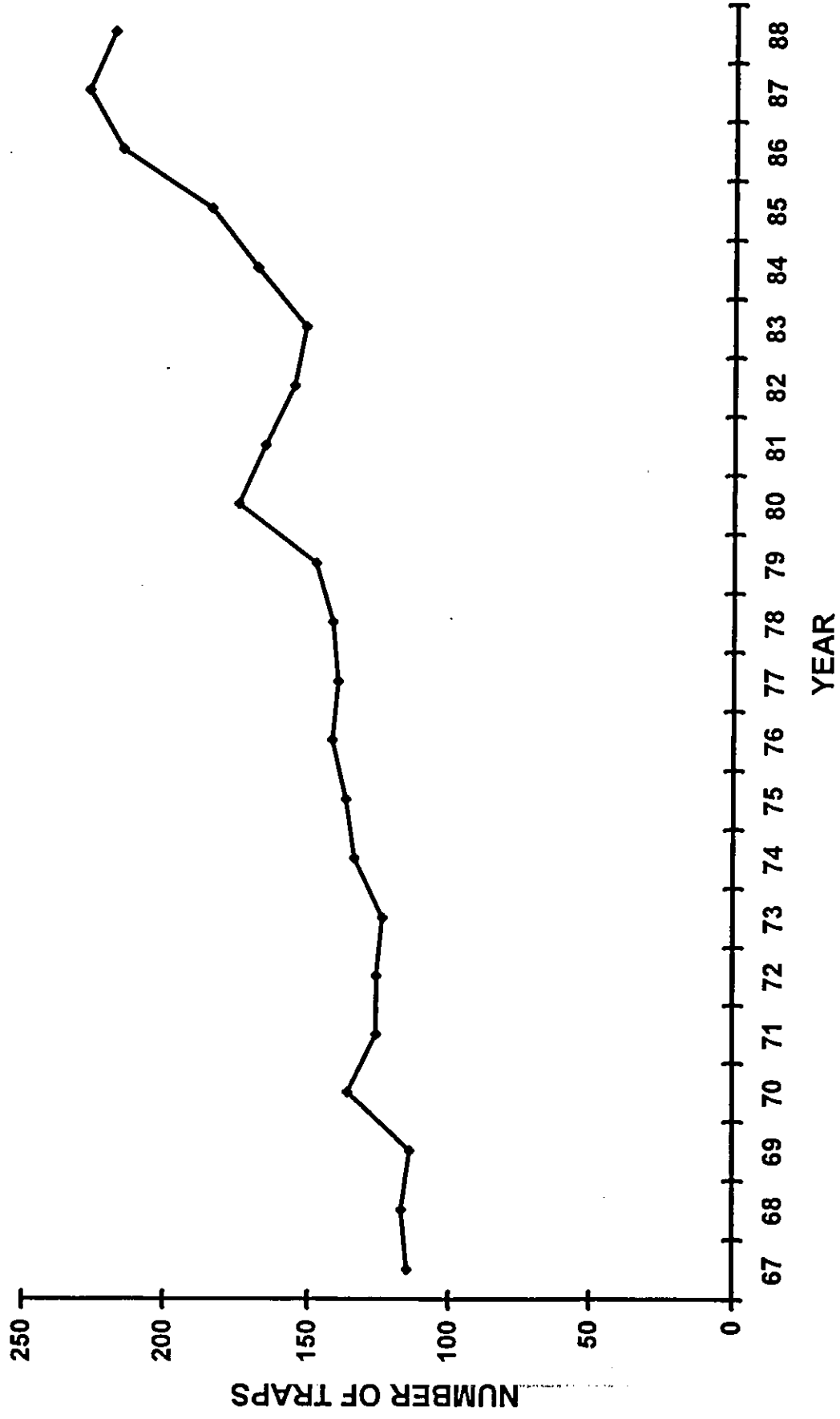


FIGURE 5. ANNUAL SOFT CRAB LANDINGS AND 15 YEAR MEAN

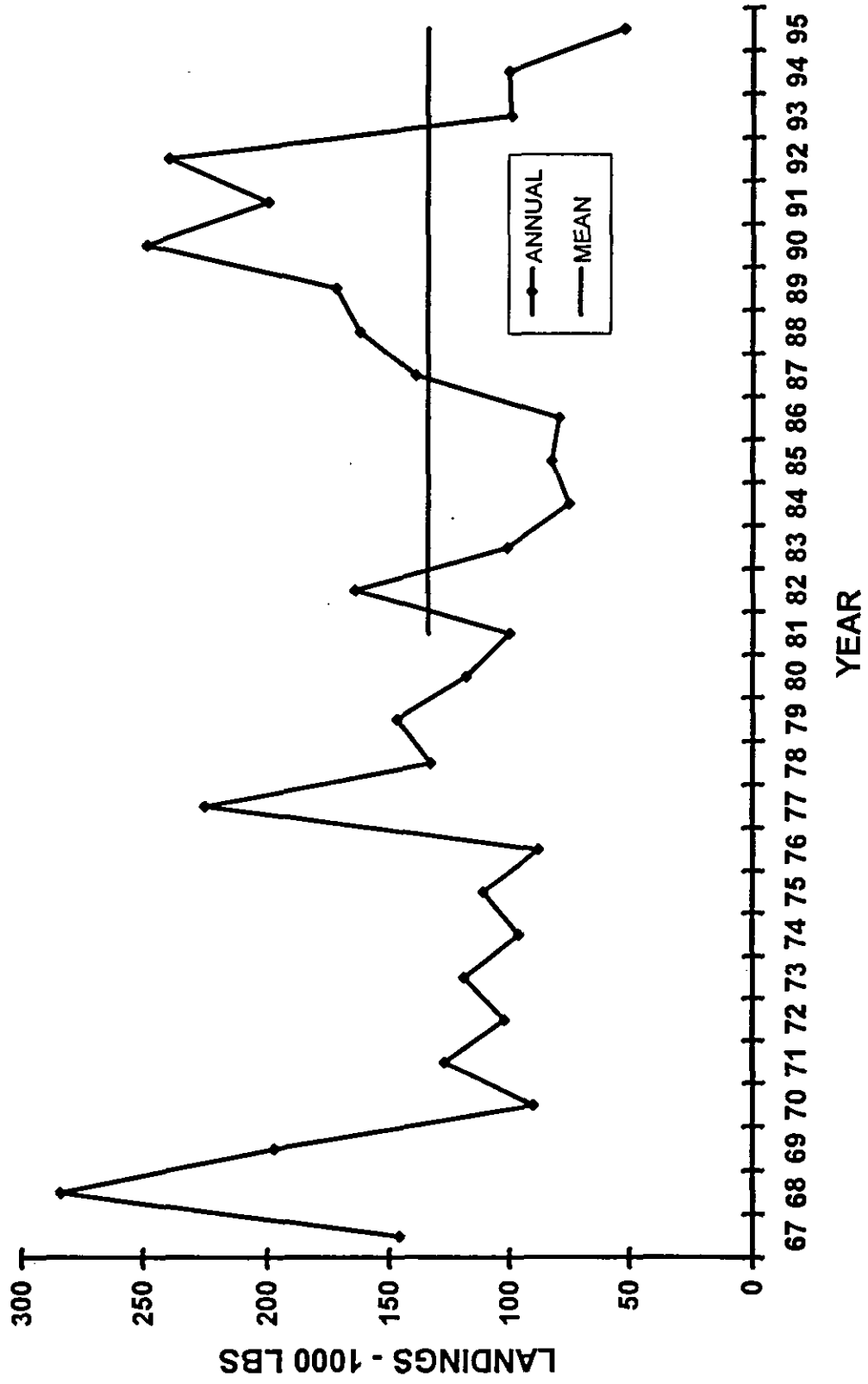


FIGURE 6. ANNUAL HARD CRAB LANDINGS AND 15 YEAR MEAN

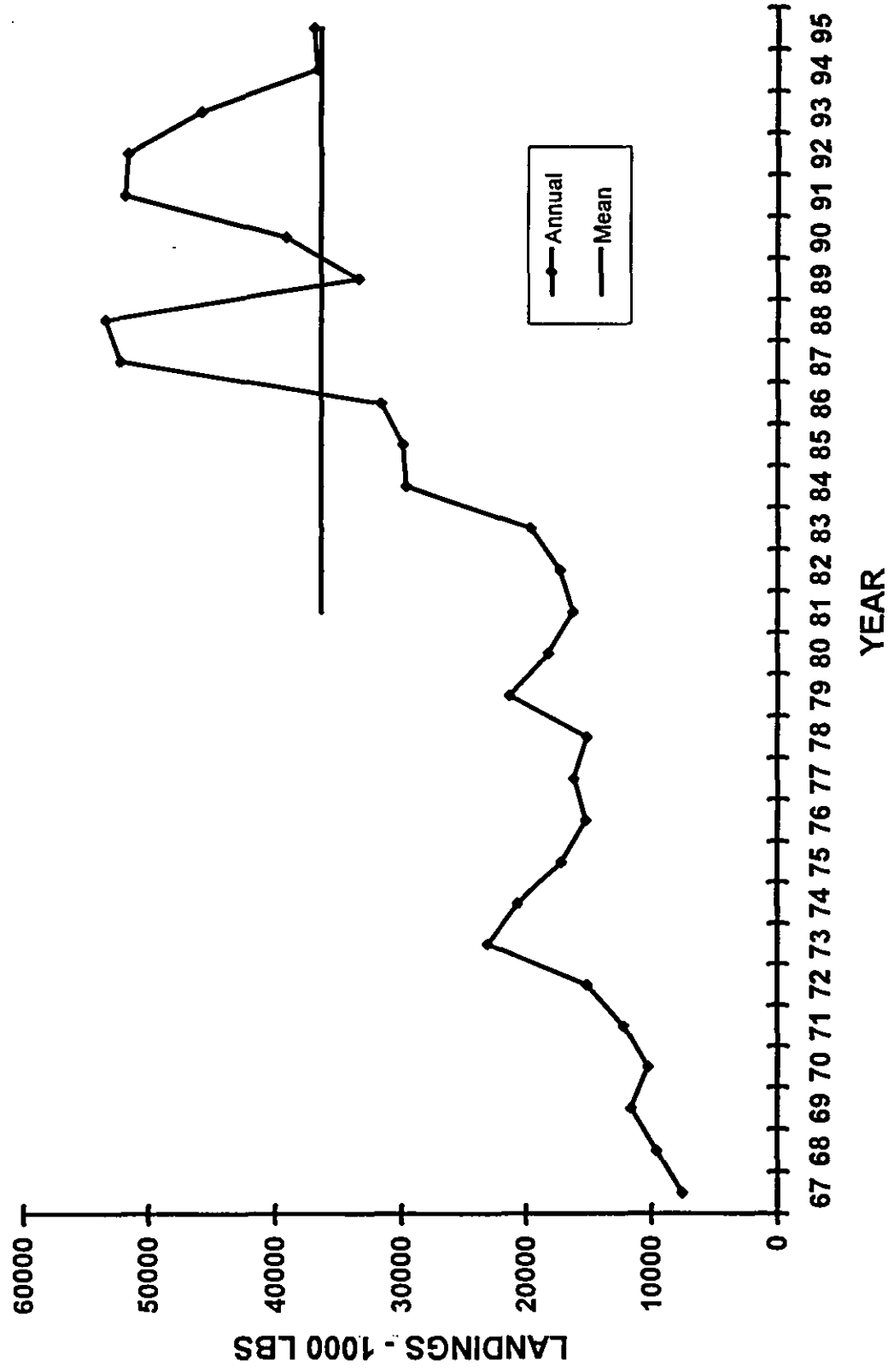
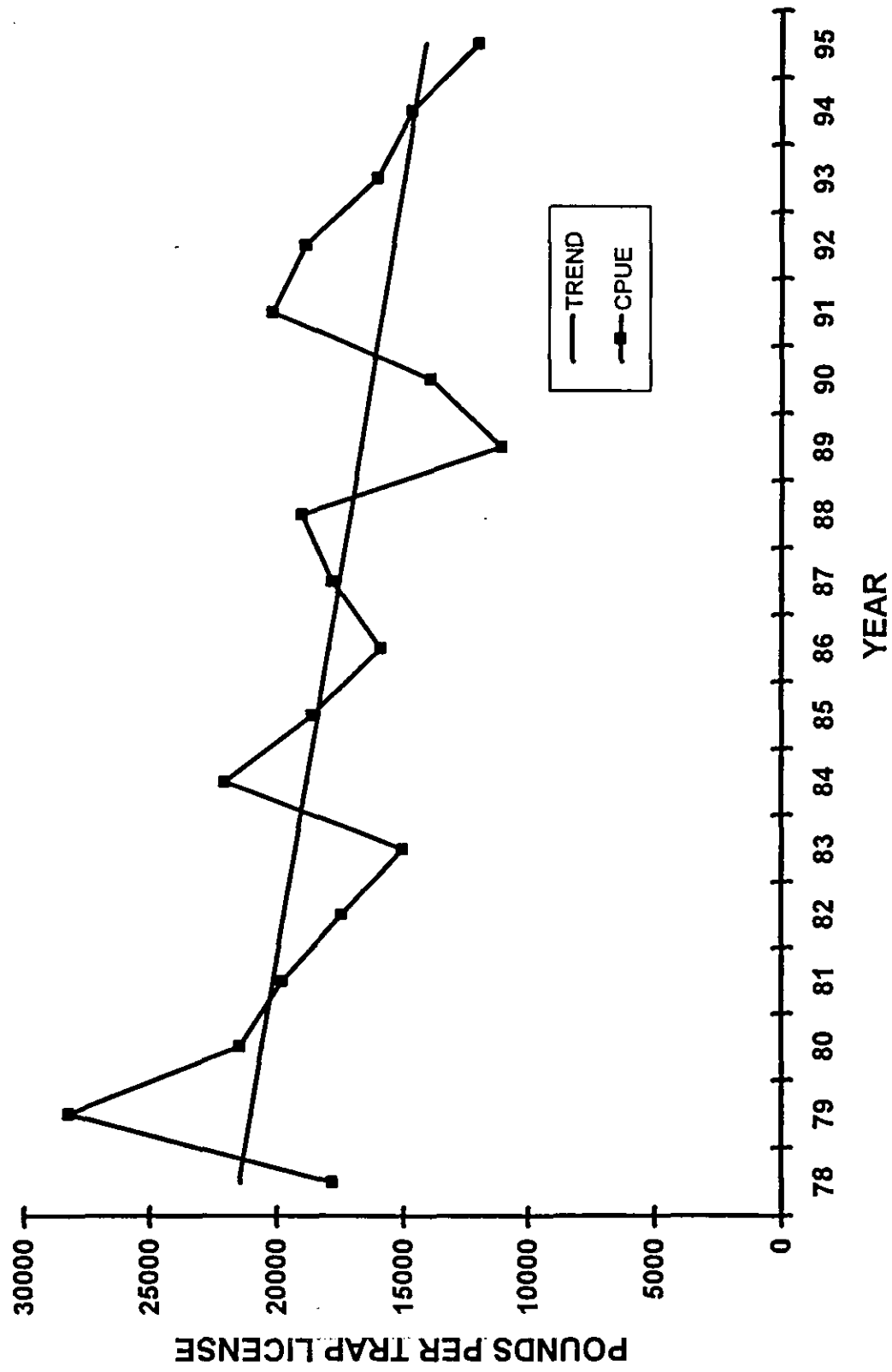


FIGURE 7. CATCH PER TRAP LICENSE



Federal Gov't caused the water problem?

Conditionally require no effect FARR's Slough.

EIS Does not include FARR's Slough

Need assurance it will work as designed

Blackmailed the Corps?

- 
- Request that FARR's Slough & The Shooks be addressed.
  - Extension for comments
  - Research the possibility of a conditional permit.
  - Proper sediment analysis - Health effects
-